THE HINDOO PATRIOT

With which is incorporated the Indian Field.

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THE WEEK.

MONDAY, 15TH FEBRUARY.

THE LAST Annual Report of the North Western Provinces contains the following remarks on the Vernacular Press:

"The Vernacular Press deserves notice, though there is scarcely anything to be added to the remarks on it in last year's General Summary. The circulation of both newspapers and magazines, which in 1872-73 had been considerably contracted, probably by striking out all non-paying subscribers, has begun again to expand, and the subscribers to the thirty-six newspapers now number 6,425, and to the twelve magazines 2,244. The readers (who are probably five or six times as many as the subscribers) certainly comprise the most intelligent portion of the population. On the whole, the Native Press of the North-Western Provinces exerts an influence for good. The intelligence which it diffuses is often inexact, and it is extremely deficient in critical power; but its tendency is useful in rousing a spirit of enquiry and in directing the attention of the people to public questions. Sir W. Muir has acknowledged the assistance which the Government has not unfrequently received from vernacular newspapers in the detection of faults and the correction of abuses. It must also be added that the Native Press in the North Western Provinces is almost always on the side of loyalty and morality."

THE INFANTICIDE ACT has been extended to seven districts in the North Western Provinces, viz., Kumaun, Garhwal, Dehra, Gorakhpur, Tarai, Jhansi, Lalitpur. The local Government in the last annual Report says that in five of these districts the crime has been satisfactorily shown not to be prevalent, these being the four Himalayan or submontane districts and the scantily-peopled Lalitpur. In Jhansi and Gorakhpur neither the prevalence nor the absence of guilt has been satisfactorily established. So much for the noise made on this subject.

DACOITIES in old form have nearly disappeared in Bengal, but they seem to linger still in the North Western Provinces. In 1872 six villages in the Central Doab were attacked in this way. The local Government remarks:

"These outrages, committed by bodies of armed men who attempt no concealment, but enter a village with torches and with firing of guns and plunder their victims' houses at leisure, are dacoities of the old form which was thought to have been completely eradicated except in Gorakhpur, and evince a spirit of lawlessness and a fearlessness of the Police which must excite serious apprehensions. What the cause of the revival of this spirit may be Government is unable to explain. It certainly cannot arise from the impunity with which the offence is committed, since in every case but one punishment has overtaken the chief criminals. It is a highly satisfactory sign that in six of these cases the villagers did not submit tamely to spoliation, but resisted the dacoits with more or less success."

Nevertheless it does no credit to the Police that the old style of Dacoity should reappear.

THE PROPORTION of fines levied by the Criminal Courts in the North Western Provinces last year was as follows:

Number of persons.				*Amount imposed.*				
40,180	...	...	...	Not exceeding Rs,				5
19,495	...	...	...	Rs.	5	to	Rs.	50
504	...	...	...	"	50	"	"	200
49	...	...	...	"	200	"	"	1,000

THE PROPORTION of punishment by flogging in the North West we are sorry to observe is increasing:

	1871.	Per cent.	1872.	Per cent.	1873.	Per cent.
Flogged,...	3,280	5·0	4,653	6·5	6,550	8·0

THE PROPORTION of women convicts in the North-Western Provinces is rather large. The total number was 2,823, of which 2,618 were married. Last year mention was made of the dangers to which female convicts are exposed on discharge from jail. It was sought to obviate those dangers by providing that women whose term of imprisonment had expired should, as far as possible, be given over to their relatives or friends at the jail door. The result has been that of 1,158 female prisoners released in 1873-74, 566 were taken home by their friends and 592 left the jail unattended.

IT IS stated that in the North-Western Provinces 27 women were imprisoned for debt during the past year, and enquiries were ordered into these cases to show how it was that a woman, instead of her husband or nearest male relative, was proceeded against by the creditor. The result is not known.

IGNORANCE AND CRIME go hand in hand. Of 31,036 convicted prisoners received into the jails of the North West Province during the year, 90·30 per cent. were totally uneducated, and of the remaining 9·70 per cent. 7·40 per cent. could read and write a little, and [illegible] prisoners, or 2.30 per cent., could read and write well. The number of prisoners, who were taught reading and writing in jail, was 6,140.

TUESDAY, 16TH FEBRUARY.

THE SUBJOINED statement shows the number of suits in each of the main classes of cases for the last three years in the North Western Provinces:

		1871.	1872	1873
Simple money suits, bonds or ordinary debts, &c.,	...	63,824	69,027	69,841
Suits for immovable property	...	11,642	11,720	12,739
Other suits,	...	5,151	6,594	6,567

THE RESULT of Government suits in the North-Western Provinces last year was generally successful—so much so as 80 per cent. were decided in its favor. In appeal the Government was generally unsuccessful. Of regular appeals, 14 were instituted by, and 73 against the Government. As appellant, the Government won one and lost nine cases; as respondent, 54 appeals were given in its favor, and 7 against it. The Lieutenant Governor remarks that "the conclusion to be drawn from this is that the Government appealed too much, and that in future it will be more discreet, as a rule, to be content with the decision of the first Courts." Are we to understand that the Appellate Courts are more independent?

THERE ARE eighty municipalities in the North Western Provinces. In most municipalities, we are told, the members of the committees are elected by the inhabitants. The following statement shews the proportion in which the municipalities are constituted by election and nomination:

	1872-73.	1873-74.
Number of towns in which the non-official members are appointed wholly by popular election, ...	58	62
Number of towns in which appointment is partly by election, partly by nomination, ...	14	12
Number of towns in which appointment is wholly by nomination	6	6

THE FOLLOWING statement shews the number of towns in the North West Provinces with the systems of taxation in force therein during the past two years:

	Number of Towns.	
Tax.	1872-73.	1873-74.
Octroi, ...	70	71
House-tax	19	10
License-tax	9	10
Tax on carriages and animals ...	5	4
Tolls on ditto	7	6

THE INCOME from each tax and the percentage of realization from each total income from taxation are given below for the past two years:—

Species of tax.	1872-73. Realizations.	1872-73. Percentage.	1873-74. Realizations.	1873-74. Percentage.
Octroi ...	14,00,932	90·09	14,03,354	89·27
House-tax ...	35,228	2·27	33,080	2·11
License-tax ...	81,932	5·75	91.954	5 85
Tax on carriages and animals ...	12,523	·8	11,510	·73
Tolls on ditto ...	14,785	·95	13,041	·83
Special taxes ...	9,559	·62	19,041	1·21
Total.....	15,54,959	100·	15,71,910	100·

THE FOLLOWING important experiments in horticulture are progressing in the North-Western Provinces:

(1.) Rhea cultivation is maintained on a large scale; but no mechanical contrivance has yet been devised for properly teasing the fibre, and until the introduction of some cheap and effectual machine for this purpose, the plant must remain comparatively valueless.

(2.) The most useful kinds of mulberry will grow freely in the Don and Kohistan up to 5,000 feet above the sea level. The Government has now two large plantations—one in the Dun and the other in the Kumaun Hills.

(3.) It is hoped that in a few years the sweet chestnut will be a common tree in the Dun and the Kumaun Hills. Parcels of English seeds are yearly received from the Secretary of State, and a regular supply of seedlings can now be furnished by the Mussooree and Hawal Bagh Gardens.

(4.) In these Gardens also the best kinds of potato seeds sent from England, are carefully grown to meet the demand from the plants, where in many districts new seed is wanted to prevent the degeneration of the plant, which has by this time become throughout the province an important staple of food.

The Government has now entirely withdrawn from tea cultivation. The private cultivation of tea in the Dun and in Kumaun has lately received great encouragement from the opening of the Central Asian market, and the large demand of Afghan traders, who visit all parts of the country to buy up tea.

WEDNESDAY, 17TH FEBRUARY.

THE AVERAGE duration of rent suits in the North Western Provinces last year was reduced from one month to 25 days. In Bengal it is about 3 months, and in some cases much more. In the North-Western Provinces the rent-suits are tried by the Revenue Courts, whereas in Bengal by the Civil Courts, and this accounts for the difference in duration.

THE SELLING value of proprietary estates in the North Western Provinces under Court sales is from seven to eight years' purchase of revenue, and under private sales from fourteen to fifteen years' purchase. The difference in the price at Court sales and sales by private contract, &c., is said to arise from the fact that Court estates sold by decree are generally encumbered, while estates sold by private arrangement are either fictitiously priced at a high figure in order to defeat claims for pre-emption, or are burdened with a debt at usurious interest, which is put down by the creditors as the sale price.

THE RECORD of what has been done in the way of female medical education in the North-Western Provinces is pronounced to be little more than a tale of failure. The school at Naini Tal and one at Bareilly have been closed, and there now only remains at Bareilly one regular female medical school. In the training of midwives, too, nothing of importance has been effected, and His Honor has decided that with so many more urgent demands upon it, Government would not be justified in spending more money on this object.

IN THE North-Western Provinces the duty of reporting deaths is entrusted to the village chaukidars and the registration of deaths to the clerks at police stations. This arrangement is said to result in fuller and more accurate mortuary returns. The average duration of life as deduced from the returns for the past four years is as follows:—

1870	1871.	1872	1873
61 years.	51 years.	44 years.	43½ years.

The average duration of life in England, France, Holland, Prussia, Italy, Spain, and Russia is a little below 35 years; and the average in India is put by competent authority at one-eighth less, or at 30 years and eight months. The figures of the past four years, in which increased attention to registration has resulted in a diminishing duration of life, are in themselves sufficient to prove that while a certain amount of progress has been made, nothing like accuracy has yet been attained.

THE NUMBER of vernacular works published in the North-Western Provinces in the past two years has been as follows:

	1872-73.	*Copies.*	1873-74.	*Copies.*
Books, ...	97	139,080	144	335,696
Pamphlets, ...	77	78,650	78	183,003
Total, ...	174	208,730	223	518,699

Of these 222 publications, 83, or 37 per cent., were educational, and the number of copies of educational works was 392,891, or 75 per cent. of the whole; but of these 100,000 were copies of a single book—an alphabet (Urdu) for elementary vernacular schools.

THE FOLLOWING statement shews the number and circulation of vernacular papers and periodicals in the North West:

	1871.	1872.	1873.
Number of papers, ...	39	36	36
Total in circulation, ...	7,593	5,917	6,425
Average ditto ...	253	162	178
Number of Magazines, ...	9	9	12
Total in circulation, ...	1,935	1,408	2,244
Average ditto, ...	215	156	187

THE CABUL news-writer of the *Delhi Gazette* reports the following conversation between the Ameer of Bokhara and his aid-de-camp:

'Look at the Russian Government, said the Amir, what a good Government it is. The King of Bokhara opposed and fought the Russians several times and lost the battles, but the Russians instead of punishing him treated him very nobly, that is, the Russians took Shahur Subz and made it over to the King of Bokhara; again the Russians conquered Kolaub and gave it to the King, although the King of Bokhara is not true to the Russians; they are thinking to give him Kokan also. Not only this, here is another illustration. The Oorgunges were always troublesome to the Russians and ill-treated the merchants. The Russians took Oorgunge by fighting, brought the men to their senses, and then see how nobly they treated the King, they made over Oorgunge to him.

WE TAKE the following Cabul news from the above writer:

"Shahghasee Sheredil Khan and Meer Akhore Amed Khan, who had been imprisoned by Sirdar Mahamed Ayoob Khan and made over to some Turcoman chiefs to take care of, have been brought in to Herat and put under surveillance. The above chiefs are the men whom Amir Shere Ali Khan had sent to take charge of Herat from Sirdar Mahamed Yakoob Khan while Governor.

"Some merchants have arrived from Herat and given the following account from there:—

Agha Jan Jumshadee, the father-in-law of Sirdar Mohamed Yakoob Khan, called almost all the men of his tribe to a meeting held in Herat to discuss matters as to Sirdar Yakoob Khan. When they had assembled, the wife of Sirdar Yakoob Khan attended and sent word to her father, Agha Jan, to favour her with his presence in the assembly. Agha Jan complied with his daughter's request and went to the tent where she was waiting for him. The Begum arose from her seat and received her father with due respect. She then asked her father's permission to address a few words to the chiefs of her tribe. She then called the chiefs to her tent and made the following address.—'Chiefs and men of my tribe. You know very well what regard I have for you. Now let me know if you will assist me.' The Jumshadees who were present, made the following reply:—'Begum Sahib, you are our daughter, we are prepared to sacrifice our lives for your sake and to fight in your cause.' The Begum then took a copy of the Koran and placed it before the Jumshadees to declare the truth of what they had said. They all complied with the request, saying that they would never deceive her while fighting the Amir's troops and would defend Herat, or die in the attempt.'

29th.—News has been received from Herat to the following effect:—

"The wife of Sirdar Mohamed Yakoob Khan has gone into the camp of the Herat force and is going to march with the camp for Sabzwar.

The wife of Sirdar Ayoob Khan has advised Sirdar Ayoob Khan to take charge of the city and Herat, and has assured him that she, her father, and the Jumshadees and Turcomans would settle all other affairs."

THURSDAY, 18TH FEBRUARY.

NEWS has been received at Singapore of a rebellion in Siam. One account says that what is called the Old Siam party, of which the Prime Minister and ex-Regent is the principal leader, had risen up in rebellion against the king, who, as representative of Young Siam, is abolishing many old customs, and introducing great social reforms throughout the country. Another, and a latter one, is that the son of the second King of Siam had assembled his retainers in considerable force in his place, and, it was supposed, contemplated entering the King's Palace and placing himself upon the throne by a *coup de main*.

BABY-FARMING is a grave social evil in France, and a bill is accordingly passing through the French Assembly. The Bill proposes to put the nurses under the inspection of the Prefects and local committees. Among other things it provides that no woman will be allowed to nurse the children of others if she herself has an infant under seven months old, unless it be placed under the care of another woman.

REFERRING to the approaching retirement of Mr. Justice Holloway *Native Public Opinion* urges why Madras should not have its Native Judge. Perhaps it will be said that the time has not arrived, but has not time really arrived? He thus answers the question:

We know of only one plausible reply to this, viz., the ruling authorities do not seem to wish, that *that* time should ever arrive. It will never arrive if you consider always that it has not arrived. You will have to wait till the close of eternity. If you don't wish to admit natives into the higher branches of service, tell us in so many terms. Then we shall give up all hopes of rising and suit our conduct to the circumstances in which we are really placed.

This is the language of despair. Hope deferred maketh the heart sick.

THE CRY is—still they come! We continue to receive names of officers and others who distinguished themselves by their services during the late scarcity. We have received a long letter about the exertions made by Babu Beharilal Mozoomdar, Overseer, Bogra. We are sorry we have no space for the letter.

WITH REFERENCE to the Krishnaghur College Mr. Lethbridge, in his speech at the late meeting, alluded to the elasticity of the Institution, as proved by the remarkable increase in the numbers since the encouragement given it by Sir Richard Temple when he went to Krishnaghur in September last. With the new encouragement that has been given to the College by His Honor's recent action, that increase has become still more remarkable. In September last there were only 271 students in the College and Collegiate School; to-day (Feb. 13), writes a friend, there are no less than 395, representing an increase of nearly 50 per cent.

WE JOIN the *Friend of India* in expressing our regret at the departure of Mr. J. DaCosta, late of Messrs. Ashburner & Co, for Europe. Possessed of great local knowledge, unobtrusive and sympathizing, Mr. DaCosta's quiet efforts in our country's cause were a great help to us. We hope that he will continue these efforts in England.

THE FOLLOWING TELEGRAM from Bombay shews what foundation there is for the statement that the Gaekwar is execrated by the people of Baroda:

"Sympathy with the Gaekwar is openly expressed at Baroda. Numbers express their willingness to contribute to the defence fund, but are afraid of being arrested. The Sirdars say, they could raise sufficient funds in Baroda in one day, but are afraid of offending the Government. The Mahomedan population of Baroda suppress their annual taboot procession out of sympathy."

It is no lip-loyalty, which leads an entire population, and that of an opposite faith, to forego their religious observances as a mark of their grief at the misfortune of their sovereign.

WE LEARN from the *Friend of India* that Mr. William Birkmyre, of Greenock, Glasgow, will shortly start at Serampore a Jute Mill with 200 looms for weaving and spinning Jute, in the compound and premises formerly belonging to the Warren Hastings. Mr. Birkmyre is also the owner of a Jute Mill at Greenock.

COMMON SENSE has prevailed over crochet. The Punjab Oriental University was a crochet of Lord-Lawrence, who was opposed to the extension of high English education in the Punjab, but common sense has prevailed. At the last annual exhibition of this institution, Sir Henry Davies, who presided on the occasion, said that "the Oriental College and the Oriental Examinations held by the University, for which it prepares students, are a special feature of what it was originally proposed to call the Oriental University, but which has now developed into a general University with special Oriental branches." This is as it should be.

FRIDAY, 19TH FEBRUARY.

OWING to an oversight, which we regret much, we forgot to announce last week that Father Lafont's fortnightly lectures on Physical Science were to have been resumed yesterday. The subjects of the present series are Electricity, Static and Dynamic, and Optics. The opening lecture last evening was "on the fundamental phenomena of Static Electricity." The lecture as usual was very interesting, and we are glad to learn, was well attended. In fact it was so crowded that several persons could not find sitting accommodation.

WE ARE GLAD to see the *Pioneer* contradict the rumour that Sir John Strachey, Lieutenant Governor of the N. W. P., is about to take six months' leave in consequence of failing health. There is not the slightest foundation for this rumour.

THE TASK of the Duffla Expedition is over. A telegram has been received to the effect that the last remaining captive is recovered. The whole force is falling back on Narrainpore.

DR. KENEALY has been elected Member of Parliament for Stoke on the Trent. He will now find a congenial field for his talents.

MR. LEVIEN, the ex-Judge of Rungpore, has obtained leave for departure for Europe. When will the papers of his case be published?

MANCHESTER is determined to put down Indian competition in cotton. It is stated in one of Reuter's telegrams that Lord Hamilton, replying to Mr. Anderson, said "that Major Boyd had reported that legislation was necessary on the subject of the long hours which women and children working in the factories of India were subjected to, and that the Indian Department was seriously considering this question." India does not want this officious sympathy.

IN THE now famous Rubery case the *Times* has not come out quite unscathed. It came out in evidence that the writer of the City article in the *Times* was in the habit of receiving money from Baron Grant, one of the defendants. The editor-in-chief thus notices the painful circumstance:

"What then, did Baron Grant say? It was that in the year 1871—we use the Lord Chief Baron's summary—he had to the extent of £2,500 given sums to Mr. Sampson as free gifts, to recoup him for losses: and it must be added that in 1872 he had given him further sums, and could not say whether they did or did not amount to £5,000. The explanation of these gifts, volunteered by Baron Grant, is that Mr. Sampson had adventured in some speculations on his recommendation which had proved unsuccessful, and he had thought it fair to indemnify his friend against the losses he had sustained.

The *Times* has removed its city editor, and the editor-in-chief thus records his regret:

The honour and independence of this paper must ever be above suspicion, and the humiliation we have suffered is hard to bear—hardship compared with which the damages that have been awarded to Mr. Rubery are as a feather in the air."

The *Times* is justly indignant and sorry. An editor like Cæsar's wife ought to be above suspicion. We wish this truth were always borne in mind by certain Indian editors.

IT IS stated that the Government of England have granted Rs. 10,000 towards the object of securing observations of the total eclipse of the sun in the East Indies on the 6th of April next. Mr. Hind has calculated that no other eclipse of the present century will be nearly equal to this in regard to length of totality and track, except that of April, 1893, which will be central in South America.

SATURDAY, 20TH FEBRUARY.

THE BRAMO MARRIAGE ACT has been availed of for legalizing a marriage between a Hindu youth and an once fallen girl of this city. Both are said to be connected with the Bengal Theatre. Such a contingency was foretold by those, who had opposed the Bill.

WE ARE GLAD to learn that the Government has directed attention to the improvement of Indian tobacco. It is stated that Lord Northbrook has sent for some experts from America to teach the people of this country the art of curing tobacco.

THE INDIAN STATESMAN gives a different version from what we gave last week of the decision of the Government of India on the subject of the criminal jurisdiction of the Travancore courts over European British subjects. Our contemporary says that our Government has resolved to make some of the English Judges in Travancore Queen's Justices of the Peace, and to invest them with the powers of a Magistrate of the First Class, as far as British subjects residing in the State are concerned.

THE SAME JOURNAL takes exception to certain remarks made in the Bengal Council suggesting the propriety of giving the private landlord the same facility for the collection of rent which was possessed by a Government Collector in charge of a private estate. The speaker did not certainly mean that the zemindar should issue a certificate under his own authority for the realization of rent in the same way as the Collector does, in other words that he should be his own judge and bailiff. What he meant was that the zemindar should have the same speedy remedy against a defaulting tenant under of course the orders of the Collector as the Collector-Manager of the estates has, without however the intervention of a third party.

WE HEARD a rumour sometimes ago that the Secretary of State had called for the opinion of the Government of India as to the advisability of appointing eight Native gentlemen as District Judges. It is now rumoured that the Government proposes to appoint 23 Native officers as Additional District Judges. We believe the last rumour is due to Sir Temple's scheme of appellate benches.

THE INDIAN DAILY NEWS again calls attention to the vagaries of Mr. Marsden on the Police Bench. It is time that the Government should take some notice of his unseemly exhibitions.

IN ANTICIPATION of the Civil Appeals Bill the Government of Bengal has invested the undermentioned Munsifs in 24-Pergunnahs with powers of a Small Cause Court Judge up to the limit of Rs. 50, viz:

Baboo Sham Lal Haldar, B.L.	...	Allipore.
" Jagobandhu Ganguly	...	Sealdah.
" Renode Behari Chowdhry, B.L.	...	Barripore.
" Ramdoyal Ghose	...	Russeerhat.
" Prosono Kumar Rai, B. L.	...	Diamond Harbour
" Amrito Lal Pal, B.L.	...	Saikhira.

We believe similar powers will be conferred upon Munsifs in other districts.

WE HAVE received a notice to the effect announcing a "grand drawing of prizes on the art union principle under supervision of the Short-hand School Committee, 10,000 tickets at one rupee each." It is stated that "Rs. 4,000 will be given away in prizes, and the balance, after paying expenses, will be set aside for the benefit of a Free Short-hand School in 5 Bentick Street, Calcutta," Eight prizes will be drawn.

WE HAVE received a letter protesting against the ungenerous view taken by a correspondent of the *Englishman* of the proposal of the managers of the Opera House for throwing it open to the performance of native operas. As the letter has been published in other papers we deem it unnecessary to publish it in our columns.

WE HAVE to acknowledge with thanks the receipt of the following publications and periodicals: 1. Report of the Administration of the North West Provinces for the year 1873-74. 2. Kabita Koumoody in two parts. By Rajkissen Roy. 3. Ganankur for Falgoon No. 4 Vol. 3. 4. Finance and Revenue Accounts for 1873. 5. *Bunga Darsana for Maugh.* 6. Lalana Kusuma by Haranath Mookerjee.

WE TAKE from the London papers the following telegrams:

London, 16th February.—The lock out of 25,000 weavers has been announced from Dewsbury. England has recognized Don Alfonso who is about to return to Madrid. Sir Arthur Kemball has been appointed British Commissioner for the Settlement of the Turco-Persian frontier.

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18*th*.—Journal of St. Petersburgh attributes the refusal of England to send a representative to the St. Petersburg Conference to reasons outside the objects of the Brussels Conference. Sir Garnet Wolsely proceeds to Port Natal to take over the administration pending the arrival of a successor to Lieutenant-Governor Sir Benjamin Pane, and to advise upon the several important points connected with the native affairs. The Royal Commission on the Army promotion held a meeting at the War Office yesterday.

Paris 12th February.—The Government to-day, on behalf of Marshal MacMahon, communicated to the Assembly their condemnation of yesterday's vote. Amid a scene of great excitement, the Assembly voted Radical clauses, but ultimately rejected the whole Senate Bill by 357 votes against 345. A motion for disolution was put forward, and rejected by 407 votes against 266.

13th February.—Marshal MacMahon condemned the vote of the Assembly on Thursday, on account of its depriving Constitutional Laws of their Conservative character; the conflicting votes were owing to the abstention of the Legitimists in the earlier stages of the debate. All the deputies voted at the final issues.

14th February.—The Ministry have tendered their resignation to Marshal MacMahon, who consulted M. Broglie, but the formation of a Ministry is impossible until after a final vote on the Constitutional Laws.

THE ELEVENTH ANNUAL Conversazione of the Mahomedan Literary Society will take place at the Town Hall on Tuesday the 2nd March at 9 P. M.

[ADVERTISEMENT.]

Invitations having issued for a reception of Native Gentlemen at Belvedere on the afternoon of Saturday, the 27th February at 5 P. M., *any native gentlemen who have not received invitations and are desirous of attending are requested to communicate with the Private Secretary to the Lieutenant Governor.*

At the same time gentlemen should mention the name of some gentleman European or Native to whom reference could be made.

Belvedere, 21st February, 1875. } C. E. BUCKLAND, *Private Secretary.*

The Hindoo Patriot.

MONDAY, FEBRUARY 22, 1875.

THE BARODA COMMISSION.

THE BARODA COMMISSION has been formally constituted. The following notification has been issued by His Excellency the Viceroy and Governor General in Council :

To

The Honourable Sir Richard Couch.
His Highness the Maharajah of Gwalior.
His Highness the Maharajah of Jeypore.
Colonel Sir Richard John Meade.
Rajah Sir Dinkur Rao.
Philip Sandys Melville Esq.

WHEREAS an attempt has been made at Baroda to poison Colonel R. Phayre, C.B., the late British Resident at the Court of His Highness Mulhar Rao Gaekwar; And whereas the following offences are imputed against the said Mulhar Rao Gaekwar, that is to say :—

I.—That the said Mulhar Rao Gaekwar did by his agents and in person hold secret communications for improper purposes with some of the servants employed by Colonel Phayre, the Resident at Baroda, or attached to the Residency;

II.—That the said Mulhar Rao Gaekwar gave bribes to some of those servants, or caused such bribes to be given;

III.—That his purposes in holding such communications and giving such bribes were to use the said servants as spies upon Colonel Phayre, and thereby improperly to obtain information of secrets, and to cause injury to Colonel Phayre or to remove him by means of poison;

IV.—That in fact an attempt to poison Colonel Phayre was made by persons instigated thereto by the said Mulhar, Rao Gaekwar;

And whereas the Viceroy and Governor-General in Council has temporarily assumed the administration of the Baroda State for the purpose of instituting a public inquiry into the truth of the said imputations, and of affording His Highness Mulhar Rao Gaekwar an opportunity of freeing himself from the grave suspicion which attaches to him;

THEREFORE the Viceroy and Governor-General of India in Council appoints you the said Sir Richard Couch, you the said Maharajah of Gwalior, you the said Maharajah of Jeypore, you the said Sir Richard John Meade, you the said Sir Dinkur Rao, and you the said Philip Sandys Melville, Esq., to be Commissioners for the purpose of inquiring into the truth of the said imputations and of reporting to the Viceroy and Governor-General in Council how far the same are true to the best of your judgment and belief. And the said Viceroy and Governor-General in Council appoints you the said Sir Richard Couch to be the President of this Commission, with full power to appoint times and places of meeting, to adjourn meetings, to adjust and arrange the method of procedure, to settle the course which the inquiry shall take, to call for and to receive or reject evidence documentary or otherwise, to hear such persons as you shall think fit on behalf either of the Viceroy and Governor-General of India in Council or of His Highness Mulhar Rao Gaekwar, and generally to guide the whole course of the proceedings of this Commission as from time to time shall appear to you to be proper for the purpose thereof.

AND WHEREAS certain other matters of importance pending between the British Government and His Highness Mulhar Rao Gaekwar were inquired into and reported upon by a Commission appointed by the Viceroy and Governor-General in Council by orders dated 23rd October, 1873; And whereas the inquiry which you are appointed to make is not connected with such matters: For the better understanding of your functions, the said Viceroy and Governor-General in Council hereby declares his desire that you shall not extend your inquiry to other matters than the offences imputed to His Highness Mulhar Rao Gaekwar as aforesaid, and that you shall not permit any such other matters to be submitted to you for consideration or inquiry.

And the said Viceroy and Governor-General in Council desires that, in the event of any of your number being prevented by sickness or other cause from taking his place as Commissioner, or from remaining as Commissioner till the conclusion of your inquiry, you the other Commissioners shall nevertheless conduct and complete your inquiry, in the same way as if the number of Commissioners present or remaining were the whole number appointed hereby.

And the said Viceroy and Governor-General in Council hereby appoints John Jardine, Esq., of the Bombay Civil Service, to be your Secretary.

By order of the Viceroy and Governor-General of India in Council,

C. U. AITCHISON,
Secy. to the Govt.. of India.

In the annals of British India there is not a parallel to the action which the Viceroy has taken in reference to Baroda. It is novel, bold, and decisive. Never did the Paramount Power condescend to appeal to the tribunal of public opinion in taking any hostile measure against a Native potentate. It always decided it in the cabinet and upon *exparte* evidence. Over and over complaints were made to the Imperial Parliament against the arbitrary proceedings of the Government of India towards Native States, but without effect. It was once formally proposed that all questions relating to the grievances of Native Princes should be referred to the Privy Council for arbitrement, but the Queen's Government would not agree to any such arrangement. Lord Northbrook has however taken a course in the Baroda case much in that direction. His Lordship would not condemn His Highness the Gaekwar unheard. He has appointed six jurors of the highest rank to investigate the charges against him, and in order to give fair play to the Gaekwar he has given the Commission an equal number of European and Native members. Nothing could be fairer than this. We confess we were not without misgivings as to whether the Native Princes nominated would accept this invidious task. In the first place they would sit in judgment upon a brother prince, a duty by no means palatable, and this is the reason we believe why His Highness the Holkar declined to join the Commission. In the second place it was doubtful whether as sovereign princes they would consent to form members of a Commission on an equal footing with at best subordinate British Officers, and presided over by a British Chief Justice, taking precedence of them as President of the Commission. But we are glad that they have not allowed personal considerations to sway them in obeying the behests of the Paramount Power. Indeed, the spirit which the Maharajas of Gwalior and Jeypore have shewn in this matter does them great honor and gives them a new claim upon the Government of India. The task before them is very serious. They are charged to perform the function of the House of Peers in the trial of a brother Peer, and we have no doubt that they will return a verdict according to their good conscience. We are aware that they will labor under a great disadvantage. They are not acquainted with the English language, and will not therefore be able to realize the full force of the arguments and eloquence of Serjeant Ballantyne. For our part we think it would have been more useful if Indian politicians, acquainted with the English language and English law, had been invited to sit on the Commission, for their special knowledge would have been of great practical use. Men like Sir Madhava Rao, the Minister of the Holkar, Mr. Sashia Sastri, the Dewan of Travancore, and Babu Nilamber Mookerjea, the Chief Justice of Cashmere, would have made very eligible members. Much however may be said on the other side, and we are ready to admit that the Government has had good grounds for constituting the Commission in the way it has formed it. The Gaekwar might have considered it derogatory to be tried by the servants of rival States and this is a very important point, though that objection is not wholly obviated when Sir Dinkur Rao is associated with the Commission.

We believe there is a wrong impression abroad that the Baroda Commission is a criminal court, that the Gaekwar is to be tried as a common felon, and that all the formalities of a criminal trial should therefore be observed. The notification which we publish above ought to remove that error. The Commission is not a Criminal Court; it is a Court of Honor; the enquiry will be held in the full blaze of public opinion, and in order to avoid all suspicion of one-sidedness or foregone conclusion, the fullest opportunity is given to the Gaekwar to defend himself. He is allowed to appear by Counsel, and the best available forensic talent is secured by him. Thus he will have the best means of putting his case before the Commission. The ultimate judgment rests with the Viceroy—the Commission is directed only to make an enquiry and report. His Excellency might have made the enquiry through the Foreign Office, but such an enquiry would not have commanded public confidence. It will be observed that the scope of the enquiry has been extended. Col. Phayre not only complained of the complicity of the Gaekwar in the poisoning case but also of tampering with his men and otherwise injuring him. His Highness as a matter of course denies this, and as these imputations are referred to the Commission for investigation, the Gaekwar will have an opportunity of not only answering them, but also shewing how the late Resident thwarted him and brought about the present complications. The matter we may say stands thus. Col. Phayre made certain personal complaints against the Gaekwar, and the latter made counter-complaints; the British Government instead of accepting all that its own officer has urged has referred all the matters in dispute to an independent Commission. The Viceroy in effect tells the late Resident: "You complain of certain matters, but the Gaekwar says that your conduct has produced the present crisis; I do not wish to pronounce one way or another without a full and impartial enquiry, and I have therefore decided to entrust the enquiry to a competent Commission. Both of you should state and prove your respective case to the Commission." Understanding the instructions to the Commission in this sense we may say that Col. Phayre is put on trial along with the Gaekwar. Much will certainly depend on the way the Commission will fulfil its solemn charge. The President of the Commission will occupy the position of the President of a Court Martial, and regulate the procedure, but the Native Princes who are associated with it will remember that the unfortunate position in which the Gaekwar finds himself may be the lot of any other native chief, and they will we have no doubt carefully sift all the matters which may be laid before them. The publicity, which will be given to the proceedings, will be an ample guarantee that everything will be done above-board. The enquiry will not end with the Commission, if a fair and full hearing be not given to the Gaekwar.

As for the imputation that the Government has refused to pay the expenses of the defence of the Gaekwar the correspondence published in last Saturday's *Gazette of India* sufficiently vindicates the Government. It will be observed that the Government has not refused to pay necessary expenses from the Baroda treasury; it would not however sanction expenditure on an unprecedentedly large and extravagant scale in justice to Baroda revenues, and hence the dispute going on. Sir Lewis Pelly asked the solicitors of the Gaekwar to give an accountable receipt of moneys received. There was nothing wrong in asking the solicitors to undertake to give hearafter a statement shewing that the moneys received had been applied to the legitimate purposes of the defence. In fact the Government wanted to make the solicitors trustees of the Defence Fund. So far we may say no reasonable objection can be taken to the decision of Government. At the same time we cannot help thinking that it would have been better if the Government had made no conditions regarding the Defence Fund, but had thrown the whole responsibility upon the Gaekwar for drawing money. In a matter like this, some money is sure to be wasted, and nothing can prevent such waste. It needs be borne in mind that the British Government has taken possession of the private purse of the Gaekwar, and it is therefore worthy of consideration as to what he would have done if he had independent means to carry on his defence. According to all accounts the feeling in Baroda is getting bitter, and if this is really the case

we cannot too deeply regret it. Our Government cannot commit a greater mistake than to raise the Gaekwar in the estimation of the native population to the rank of a martyr by the overzeal or caprices of its subordinates. The people have the highest confidence in the Viceroy, and it is of the utmost importance that that confidence should be maintained intact. Far better that a few lakhs should be wasted than that the good name of our Government should be in any way tarnished.

We are not surprised that the greatest diversity of opinions prevails on the subject of the proceedings of Government regarding Baroda. At the same time we think the Government should not be too sensitive nor its critics too nice. The main object of Government ought to command the approval of all right-thinking men. It is the protection of the interests of the people of Baroda, which has formed the primary object of our Government from the beginning of the Enquiry, we mean the first as well as the present. As for the deposition of the Gaekwar we do not believe that it is a foregone conclusion, Lord Northbrook has disarmed the annexationists by declaring that whatever may be the result of the present trial the State shall be restored to a Native Administration. This assurance is enough. The old days of annexation are not to be revived —they have passed away we hope for ever. If the Gaekwar be found guilty of the atrocious charge laid against him, let him suffer, but nothing that he has done will justify the absorption of his State, and Lord Northbrook has in a most straightforward and emphatic manner declared that he contemplates no such *denouement*.

THE HOLKAR.

HIS HIGHNESS the Maharaja Holkar of Indore is expected to arrive in the capital this evening. He is accompanied with his three wives, two sons, and his distinguished minister, Sir Madhava Rao. This is the first time that the representative of the great House of Indore will tread the soil of the capital of Her Majesty's Indian Empire. The Holkar, as the reader is aware, forms one of the great Maharatha confederacy, and though his state is less extensive and his revenues much less, in position and influence he contests the palm with the Maharaja Scindia. The present Chief Tookajee Rao Holkar attained majority in 1852, and was entrusted with the entire management of the affairs of his State. Like the Scindia he receives a salute of nineteen guns, the Gaekwar being the only Maharatha prince who is entitled to a salute of 21 guns. The history of the House of Indore is interwoven with that of Maharatha ascendancy. We give the following particulars from Malcolm's History of Central India and the reports made to our Government by successive Residents at the Court of Indore.

The Holkar family are Soodras of the Dheongur or shepherd tribe. The first who rose to eminence was Mulhar Rao, who was born about the end of the 17th century and was one of the most distinguished leaders in the first Mahratta invasion of Northern India. He died at the age of seventy-six and was succeeded by his grandson Mallee Rao, who died insane nine months after his accession. The pious Alia Bai, the mother of Mallee Rao, then took the management of affairs and appointed as the commander of her army Tookajee Holkar, a chief of the same tribe but no way related to Mullhar Rao. This chief for many years served Alia Bai with the most devoted fidelity. Alia Bai died in 1795 and was not long survived by Tookajee Rao, after whose death the power of the House of Holkar was nearly extinguished by quarrels in the family and amid the dissensions which distracted the Mahratta confederacy at the close of last century. The fortunes of the family were however restored by Jeswunt Rao, an illegitimate son of Tookajee Holkar, who in 1802 defeated the united forces of Scindia and the Peishwa near Poona. The conclusion of the Treaty of Bassein between the Peishwa and the British Government defeated Jeswunt Rao's hopes of possessing himself of the person of the Peishwa. In the following year when the Scindia and the Rajah of Berar combined against the British, the Holkar promised to join the confederacy. But on the actual outbreak of hostilities he kept aloof and apparently intended to take advantage of the war to aggrandize himself at Scindia's expense. His schemes, however, were rendered hopeless by the Treaty of Surjee Anjengaum, and Holkar, after making a series of inadmissible proposals for an alliance, seems then to have hastily determined unaided and alone to provoke hostilities with the British. In the war which followed Holkar was completely overthrown. He was pursued by Lord Lake across the Sutlej, whither he retired in the hopes of forming a combination with the Sikhs against the British Government, and on 24th December 1805 he signed a Treaty on the banks of the Beas, by which he was stripped of a large portion of his territories. On the accession of Lord Cornwallis a change had taken place in the policy of the British Government, and it was considered expedient to withdraw from the connection formed with some of the minor Rajas in the conquered provinces to the west of the Jumna. In pursuance of this policy, Sir George Barlow caused a declaratory Article to be added to the Treaty relinquishing to Holkar the districts of Tonk, Rampoora, and other districts forming the ancient possessions of the Holkar family, which at one time it had been the intention of Government to cede to Scindia in lieu of the annual pension of four lakhs of Rupees granted to that Chief. By Article 4 of the Treaty the district of Koonch in Bundelcund was assigned as a life grant to Beema Bai Sahiba, daughter of Jeswunt Rao Holkar. This lady died in November 1858, and the district of Koonch reverted to the British Government; but a provision of Rupees 20,000 a year was assigned for life to her grandson Govind Rao for the support of the old retainers of the family. Soon after the conclusion of the Treaty, Jeswunt Rao Holkar became insane. He died in 1811, leaving a son Mulhar Rao, during whose minority the State was torn by the most violent dissensions. Toolsee Bai, the favorite concubine of the late ruler, secured herself in the regency. In entering on the Pindaree war it was the policy of the Marquis of Hastings to put a stop to the predatory system by a revival of the political alliances which had been abandoned in 1805. Toolsi Bai was friendly to the British Government, but hostilities having broken out between the Peishwa and the House of Indore, the regent was seized and barbarously murdered, and the Pathan Chiefs who headed the military faction, having pledged themselves to adopt the cause of Bajee Rao, broke off the negociations. Holkar's army sustained a complete defeat at Mehidpore, and on 6th January 1818 the Treaty of Mundisore was concluded, by which the supremacy over the Rajpoot Princes of Oodoypore, Jeypore, &., was transferred to the British Government, the engagement between the British Government and Ameer Khan was confirmed, four districts rented by Zalim Sing of Kotah were ceded to him, Holkar lost all his possessions within and to the south of the Sautpoora Hills and his remaining territories came under the protection of the British Government. By Article 6 of the Treaty, Holkar transferred the fort of Sindwa to the British Government. But it was restored in 1856 in consideration of a payment of Rupees 16,000 for the construction of a bridge over the Gohee Nuddee, and on condition that no alteration would be made in the existing customs duties on the Agra and Bombay road, and that the residents of Sindwa were not made sufferers by the transfer of the fort to Holkar. In the month of June 1829, the Begoo Thakoor, a feudatory of Oodoypore, took possession of Holkar's district of Nundwah. The invader was expelled by a body of Holkar's troops, but the Thakoor about a year after the first aggression again seized the same district, and was again driven off by Holkar's troops and the contingent. The Oodoypore State was held responsible for the act of the Thakoor, and a demand of Rupees 24,000 in payment of the expenses incurred by Holkar in repelling the first aggression was made upon the Rana. This compensation was not paid until eight years had elapsed after the occurrence of the aggression. For the loss and expenses incurred by the second aggression of the Thakoor no compensation was ever obtained. In this and several other similar cases, it was a matter of complaint, on the part of the native States, that while the British Government prohibited them from taking their own measures to redress injuries inflicted on them by their neighbours, it displayed no vigour or promptitude in obtaining redress for them. Mulhar Rao Holkar died in October 1833 at the age of 28 without issue but his widow and his mother adopted a child, who was said to be of the same tribe and lineage as the deceased. The British Government made no objection to this adoption, but at the same time did not bind itself to support the arrangement if it should appear to be illegal or subversive of the rights of any other party, or contrary to the wishes of the majority of the chiefs and followers of the Holkar State. It was acknowledged simply as the spontaneous and unopposed act of the Holkar Government, in which the people seemingly acquiesced. The child, between three and four years of age, was publicly installed on 17th January 1834 under the title of Murtund Rao Holkar. The adoption of Murtund Rao however proved to be a device of the mother of Mulhar Rao Holkar for the purpose of keeping the power in her own hands during a long minority. It was not acceptable to the people, who were in favour of the succession of Hurree Rao Holkar, a cousin of the late Maharaja. Hurree Rao had been thrown into prison by his cousin in 1819 for rebellion, and been ever since kept in rigorous confinement. He was released on the night of 2nd February 1834 by a powerful body of his partisans, and received a ready welcome from the troops and people. In 1841 the Maharaja adopted as his heir and successor Khundee Rao, a boy of 13 years of age, son of an obscure Zemindar, and very distantly related to the reigning family. Hurree Rao died on 24 October 1843 at the age of 48. Warned by the evils which resulted from the vacillating policy pursued on the accession of Martund Rao, the British Government took immediate measures to proclaim Khundee Rao as the acknowledged successor and to make it known that no other claims would be recognized. Khundee Rao died on 17th February in the following year. He was not married. There was no lineal heir to the state and no person who had a legitimate right to adopt. The nomination of a successor was therefore declared to rest exclusively with the British Government, and the Resident Sir R. Hamilton was instructed to make the selection in such a way as to show that it was manifestly the sole act of the British Government. The mother of Hurree Rao Holkar, who was greatly respected by the people and had been associated with the Resident in the administration before Khundee Rao's death, pleaded the claims of Martund Rao, but Government refused to select him and proposed to nominate the younger son of Bhao Holkar if he should be found on enquiry to be the most eligible. The Resident thereupon declared in full Durbar the desire of the British Government to perpetuate the State of Holkar by the selection of a successor from amongst those eligible to such distinction, that the Mah Sahiba had pointed out the younger son of Bhao Holkar as a fit successor, and that the Governor General, having a great respect for the Mah Sahiba, had determined to bestow the Chieftainship on him. Three days thereafter, without waiting for instructions, the Resident installed the boy with all the formality of a hereditary Chieftain. For this serious departure from his instructions the Resident was severely censured and informed that by his proceedings an opportunity had been lost to Government of marking an important line of policy. In a letter to the young Chief the Governor General laid down the conditions on which the State was conferred on him.

The population of Holkar's territories was roughly estimated in 1860 at 6,76,000 souls, and the area at 8,318 square miles. The revenue of the State from all sources was then about thirty lakhs of rupees, and the expenditure about twenty-two lakhs. The Holkar maintains a military establishment of 2,050 regular and 4,300 irregular infantry, 2,100 regular and 1,200 irregular cavalry, and 500 artillery men with 24 field guns equipped. Previous to the mutinies of 1857 the Holkar contributed Rupees 1,11,214 annually to the United Malwa Contingent and Rupees 7,862 to the Malwa Bheel Corps. The United Malwa Contingent proved faithless during the Mutinies and was abolished in February 1858. No new corps

has been organized in its place, its duties being performed by troops of the line. The Malwa Bheel corps did not mutiny; it has been re-organized as a military police corps. The British Government contributes Halee Rupees 10,000, equivalent to Rs. 9,828, to the Malwa Bheel Corps. An annual payment of Rupees 40,000 is made to Holkar by the British Government as compensation for his share of the district of Patun which was made over to Boondee in 1818. The Maharaja also receives through the British Government a tribute of Salim Sahi Rupees 72,700 on account of Pertabgurh, but he has no feudal supremacy over that State. He receives credit for this tribute as part of his contribution towards the Malwa Contingent, and it is realized from Pertabgurh one year in arrears.

The present Maharaja Holkar is perhaps the astutest Native Prince we have. Within the last ten years he has raised the revenue to about 60 lakhs. He has introduced many improvements, not the least important of which is the establishment of a cotton mill under His Highness' direct patronage, which has proved a decided success. He has installed as his minister the ablest Indian Statesman we have. We believe he is coming to Calcutta on no political mission whatever; his object is to pay a complimentary visit to His Excellency the Viceroy. On behalf of our countrymen we heartily welcome him to our city. He has a high opinion of the educated natives of India, and we hope they will have an opportunity of meeting this illustrious visitor and paying him their respects.

THE CIVIL APPEALS BILL.

THE history of this Bill affords a noteworthy illustration of the spirit which animates our legislators under the present *regime*. There is not that indecent haste, that unseemly impatience of public criticism, that contemptuous disregard of the sentiments, opinions, and feelings of the people, which used to disfigure the course of legislation in days not long gone by. Mr. Hobhouse may be sometimes acrid, but he is thoroughly honest, and always willing to hear both sides. When he once forms his conclusions, he supports them with the utmost tenacity, but he is at the same time open to argument and conviction. No one can deny that the primary object of the Bill is most praiseworthy. The present system of special appeals is undoubtedly most unsatisfactory. Facts and law, Mr. Hobhouse justly holds, are in the position of the Siamese twins, and no just decision can be arrived at by cutting off the one from the other. At present a special appeal lies only upon points of law, and the result not unfrequently is a failure of justice. The Judges of the High Court have themselves often represented this evil. Mr. Hobhouse accordingly proposed to correct it, and in so far his Bill received unanimous support. He however saw that considerable work would be thrown upon the High Court by allowing a second appeal upon the whole case, and so he proposed that there shall be no such appeal in suits below Rs. 200, or in which there shall be a concurrence in the decisions of the Courts of first instance and of first appeal. It was this part of the Bill which provoked opposition. The country in one voice condemned it. Even the District Judges, to whose judgment in the cases mentioned above Mr. Hobhouse wanted to give finality, admitted the mischief, and almost in one voice said that they would rather go without that power. The memorialists against the Bill cried for the improvement of the District Courts before the proposed power was vested in them, and Mr. Hobhouse did not deny the justice of their prayer. He however thought that the amendments, which he had introduced, would greatly meet their objections. He discussed the subject over and over, and gave the public ample time to discuss it. He shewed the utmost consideration for the representations made to the Council. At this stage the discussion took a most important turn. Sir Richard Temple, whose time had hitherto been engrossed with the famine, now took up the Bill, and at once saw its weak points. He fully admitted the force of the arguments of the Memorialists, and felt that a reform of the law of appeals ought to be preceded by a reform of the District Courts. He invited the opinions of the District Judges, and with the advice of his able and experienced Judicial Secretary, Mr. Rivers Thompson, he has evolved a scheme of appellate benches at once economical, moderate and practical. The subject of judicial reform has engaged the attention of Government from 1859, but nothing has been done. The Government has been evidently restrained in its attempts from financial considerations. But these considerations cannot be pleaded in bar of Sir Richard Temple's scheme. A slight additional expenditure we believe will be sufficient. Whether the present Bill passes or not, we do hope that a fair trial will be given to Sir Richard's scheme. If it be adopted, it will prove the precursor of great improvements. A combination of the good qualities of the Civilian and the Indian Judge will materially strengthen the District Appellate Courts. It affords us great satisfaction to notice that both Mr. Hobhouse and His Excellency the Viceroy are willing to give due consideration to Sir Richard's scheme. Nothing could be more fair than the statement which Mr. Hobhouse made to the Council at its last sitting on the subject. He said:

"The Council would recollect very well that of all the topics which had been insisted upon by those who objected to the measure, by far the most substantial of all was that the state of our courts in the *Mufasal* was such that they could not be expected to yield the hoped-for results. It was said that the *Mufasal* Courts were too weak to bear the extra strain which would be put on them, and that we had better not attempt to alter that portion of our system of appeal which now existed until the *Mufasal* Courts were strengthened. The answer had been made was that whatever truth there may be in the assertion that our Courts were weak, it was no objection to the present Bill. There was no speedy prospect of a complete reform in our *Mufasal* Courts and it was better that we should take up the subject of a partial reform, as was suggested by this Bill, which would introduce a much better system than that which now exists, and one which would work better. But now the position of affairs had been altered. His hon'ble friend the Lieutenant-Governor of Bengal had directed his attention to the difficult subject of strengthening the *Mufasal* Courts; he had said that he was prepared to propose plans for that purpose, and asked us to stay our hands with regard to this measure, lest we should mar and hinder him in his operations. Mr. Hobhouse conceived that in those circumstances there was nothing for the Council to do, but to accede to his hon'ble friend's wishes, and therefore the Bill would be yet a while under the consideration of the Select Committee. But he would ask his hon'ble friend to join the Select Committee on this Bill. His Honor thought that the Bill could be very considerably amended, and in such a manner as to meet the objections which had been raised, and that he could introduce a number of alterations which he thought necessary, and the carrying out of which would be feasible. How that might be, Mr. Hobhouse was not quite sure. Perhaps it might be possible if they re-adjusted the details of the Bengal Civil Court's Act. But if His Honor's proposition involved a substantial increase of the judicial staff, or a creation of new offices, then the Council could not discuss the measure with any degree of propriety till the necessary decision was arrived at by the Executive Government on the subject. Now the Select Committee would consider the exact kind of alterations proposed, and whether it would be advisable to introduce them in to the Bill. The Bill was a step in the direction of improvement of the present state of things, and it would certainly not interfere with, but help and aid any attempt in improvement. His hon'ble friend the Lieutenant-Governor would be of very great assistance to the Select Committee, and in fact it was almost necessary that he should join them in a consideration of the matter. If therefore the Council would permit him to postpone the consideration of the Report of the Committee, he would ask His Excellency's permission to add the name of his hon'ble friend to the Select Committee."

Sir Richard Temple again urged the necessity of strengthening the District Courts. While consenting to serve on the Select Committee he observed that he hoped it would be distinctly understood that that should not prejudice any proposals he had made to the Executive Government on the subject. He then continued:

"He certainly believed that the many immaterial suggestions he had to make would so materially alter the Bill as to make it virtually a new Bill. There was a variety of details to be considered, and there were some matters which could not very well be considered by the Select Committee of the Legislative Council until the decision of the Government of India in the Executive Department on the subject was made known. But His Honor must say that he could not share his hon'ble and learned friend's opinion that if the Bill was passed, as it was now, it would help the progress of improvement the Bengal Authorities were so anxious to carry out, on the contrary, he believed that if the Bill was passed by the Council and the proposals which had been made were not adopted, the progress of improvement in Bengal would be indefinitely postponed. He could not sufficiently impress on the Council that it was *now* the time to take up the question. The work should be done deliberately and considerately, and ample time should be allowed for the purpose; and after a full deliberation of the measure, a complete, radical, and comprehensive reform should be effected, such as would be approved of by the Judicial Authorities, and above all by the people of Bengal, whose interests were more immediately and intimately concerned in the matter. His Honor also submitted that if this reform could not be made, it would be better to leave the law as it stood at present. Therefore, though he was most anxious and willing to attend at the sittings of the Select Committee, when he would have the advantage of becoming better acquainted with the views of his hon'ble and learned friend, and his learned friend would also see what his views were yet he could not hope that any change in the way of improvement would be made unless the Select Committee decided upon accepting the proposals which had been made."

We feel deeply grateful to Sir Richard Temple for his earnest solicitude for the reform of the Mofusil Courts. We are aware that great progress in that direction has been made within the last few years. The courts of first instance are now presided over by trained lawyers, and their superior qualifications are admitted on all hands. The High Court has often borne testimony to the improvement, which has resulted from the influx of properly qualified Judges constituting the Courts of first instance. Then a corresponding improvement has taken place in the bar. The bar of the High Court is so crowded that our law graduates are now gladly resorting to the District Courts for practice. The Civilian Judges themselves feel the contrast presented by the superior qualifications of the Judges of the lower Courts and the members of the bar of the District Courts, and it does them great credit when they themselves recommend the association of able and experienced Native Judges on the appellate bench. Thus apart from the present bill Sir Richard Temple's proposals have great practical importance, and we do hope that they will meet with the approval of the Government of India. It is true that the scheme may lead to some additional expenditure, but considerable saving may be made by a redistribution of the salaries of the Uncovenanted Judges, and if after such saving it be necessary to incur a small additional expense, surely the Government should not grudge it in view of the paramount importance of the object aimed at. The merit of Sir Richard Temple's scheme is that it will not destroy the integrity of the Civil Service, while it will raise the status of the Uncovenanted Judicial Service, and materially improve the quality of justice as administered by the District Courts. We agree with Sir Richard Temple—NOW OR NEVER! We cannot have a more enlightened and large-hearted statesmen at the head of the Indian Government than the present Viceroy, and if the question of judicial reform in Bengal so long debated and deliberated upon, do not receive a satisfactory solution at Lord Northbrook's hands, we may well despair.

One word about the objections raised by our contemporary of the *Englishman* about the ryder proposed by the British Indian Association upon Sir Richard Temple's scheme. The Association generally concur in that scheme, but have given their opinion that unless the Subordinate Judge, who would be put on the Appellate Bench, be made perfectly independent, no real improvement will be made. The Association have pointed out the present conditions of the law, which give little scope to the Subordinate Judge for exercise of independence in relation to the District Judge. The *Englishman* does not deny these conditions, but says that such conditions equally govern the Puisne Judges of the High Court in relation to the Chief Justice, and asks—are not the Judges of the High Court independent? May we ask in return whether the Judges of the High Court look to the good will of the Chief Justice for promotion, and whether their judicial conduct comes annually under the review of the Chief Justice in the shape of an official report to Government. These two circumstances shew sufficiently whether in his present relation with the District Judge the Subordinate Judge can maintain his independence, and what is the worth of a Judge, who has not independence? As for appeals from one bench of the High Court to another, the *Englishman* ought to remember that there is perfect equality in the law. The Judges sit in appeal by turn, and the Judge appealed against to-day may be the appellate Judge to-morrow. But the Subordinate Judge must always remain subordinate. He has no right to sit in appeal upon the decisions of the District Judge. It does not require a long stretch of reasoning to shew that half is not equal to a whole, and that a half colleague and a half subordinate, as the uncovenanted Judge of the proposed appellate bench unless raised to the rank of Additional Judge will be, cannot be equal to a whole District Judge, and cannot therefore command independence. As for the abolition of the present covenanted

Additional Judges, the Association does not lay stress upon it. It would be a measure of economy, and it would be for the Government to consider whether such a measure should be adopted or not. Possibly it would not be wise to carry it out at present, for it is sure to provoke opposition in the civilian ranks, and in a matter of this kind it is advisable to raise as little factious opposition as possible. The main object of the *Englishman* seems to be to spare the present Additional Judgeships, and we believe the Association are willing to spare them. Their primary object is to secure independence in the uncovenanted Judge, and if that object be attained, they have not the slightest objection to the retention of the present Civilian Additional Judges. Our contemporary is, however, mistaken in thinking that the law does not give the Government power to appoint uncovenanted Judges as Additional Judges, for if he will refer to the Bengal Civil Courts Act he will find that that Act authorizes the Government to appoint any person to be Additional Judge.

SIR RICHARD TEMPLE ON EDUCATION.

WE HAVE read with great pleasure Sir Richard Temple's Resolution on the last Education Report. It takes a comprehensive view of the state of education in Bengal and the requirements of the people in that respect, and the judgment of Sir Richard Temple is not favorable on the whole. His Honor remarks: "the reports of the Commissioners and Circle Inspectors, summarised in the report, tend in general to show that the condition of higher and middle schools is not satisfactory. The Lieutenant Governor requests that the Director will be good enough to offer separately, for the Lieutenant Governor's consideration, some remarks upon this, accounting for the decline of these schools and suggesting some remedies." The Lieutenant Governor is quite right in calling for a special report on the subject. We may remark that since the cry against high education was raised by Lord Mayo's Government, there has been a visible decline in our higher schools. We do not admit that the one should have followed the other as cause and effect, but it is apparent that less attention has been paid to the higher schools perhaps on the supposition that the Government thought that too much attention had been hitherto paid to them to the detriment of primary education. If such has been the case, it is of course a great mistake, and we hope it will be corrected. This however we believe is a fact that since the anathemas hurled against high education, and the reduction of the grant to it, there has been as it were a deadlock in the extension of aided schools. Regarding primary education Sir Richard Temple repeats what he has already said on the subject. He says that he is anxious to work out the policy which he has already announced "on the lines so well laid down by the late Lieutenant Governor and to build up the system on the foundation previously established." The Resolution runs on:

"It is not the wish of the Lieutenant-Governor that any rural schools should be left unaltered and unimproved, with inefficient teachers and imperfect methods of instruction; nor, on the other hand, that attempts should be made to introduce a standard which will divest the schools of their elementary character. The most effectual method of improving these indigenous schools, while maintaining them as places of really primary education, will be found to lie in the introduction of a system of paying according to results. The Lieutenant-Governor has read with much interest the account of the success which Mr. Harrison, the Magistrate of Midnapore, has attained by adopting this principle. The Lieutenant-Governor desires to commend these paragraphs of the present report to the consideration of all officers into whose districts it may be practicable to introduce a similar system."

We are glad to observe that the Lieutenant Governor's attention has been directed to the character of instruction imparted in our schools. We have seen what he says regarding the primary schools. With regard to instruction in the middle and higher vernacular schools the Lieutenant Governor observes that the number of pupils on their rolls last year was 449,873. His Honor remarks:

"Of the entire number of pupils in the middle and higher schools, more than one half were in the lower section of the primary stage: that is to say, they were still unable to read, write, and understand easy sentences in their vernacular tongue. The Lieutenant-Governor would ask the Director to consider whether it would not be possible to apply a check to this by the institution of some kind of entrance examination. It might not be desirable to interfere with aided schools, but in zillah schools, at any rate, a rule might be made that no boy shall be admitted who cannot read and write his mother tongue. The necessary elementary instruction would then be given, as it should be given, in schools of a lower class, and boys would proceed from these schools to the zillah school. There appears a waste of power in employing well-paid and highly-educated masters, such as form the staff of our zillah schools, to teach little children the alphabet."

It needs however be borne in mind that it is in the primary classes the real foundation of education is laid, and if the child is neglected or ill-taught, the boy or the man will not receive healthy growth or development. Indeed, the abler the teacher for the lower classes, the better for the advancement of the youth. The Lieutenant Governor makes the following pertinent and sensible remarks on technical education:

"This growing appreciation of the advantages of technical education appears to the Lieutenant-Governor to be a sign of healthy national progress, upon which the country may fairly be congratulated. It will be His Honor's wish to encourage the development of this spirit by opening new schools of this class where a demand for them exists, and by supplying additional teachers to the present institutions. The Lieutenant-Governor would impress upon all concerned that one main object of scientific and technical education is to enable the rising generation in Bengal to earn their own living in practical pursuits, such as mechanics, engineering, surveying mensuration, the higher branches of agriculture, the special culture of valuable products, and the like; instead of betaking themselves, as at present, to the law and to the public service in such numbers as to overstock those professions. In urging this upon the people, the Lieutenant Governor only desires to open to them fresh fields for their industry, new avenues for their ambition additional means for their attainment to wealth and happiness."

We entirely agree with His Honor. A large field lies open, which no Governor of Bengal has yet trodden. If Sir Richard will direct his attention to the promotion of practical education in right earnest, he will confer a substantial benefit upon the country, for which the people will ever remain grateful to him. Things are rapidly coming to a pass in Bengal, which renders existence a struggle. All avenues to employment either in the public service or by professional practice are blocked up. Whether we look to Government offices, the law, the medicine, or civil engineering, the result is the same. It is therefore necessary that the Government should encourage the teaching of practical arts. We do not want merely ornamental arts. Engraving, drawing, painting, and photography are good things, but only a limited number of men can make a living by the cultivation of the fine arts. Let the mechanical arts be taught to the people, let instruction be given in the use of machinery, in the making of implements, in ship-building, in the manipulation of workshops, and the like, and a wide field will be opened to national industry. If Sir Richard Temple will encourage such practical institutions, he will impart a new and momentous impetus to the industry and progress of the people.

REVOLUTIONARY.

WE HAVE watched with a peculiar interest the germination of the seed sown by the success of our youths at the Indian Civil Service Examination. That auspicious event is a matter of great social, political and moral importance. All eyes are turned to the few young men, who have by the force of their intellect, their industry, and perseverance, obtained entrance to the ranks of a service, which has a history, the brilliany of which is not surpassed by any in the civilized world, and which comprises the really governing body in India. Whatever they say, whatever they do, whatever they teach, whatever they preach, is necessarily invested with great importance. Of the several young Bengalis, who have entered this much coveted service, the career of Babu Romesh Chunder Dutt is the most interesting. He is decidedly the ablest among them. He took a high rank in the examinations, and since his return to this country his mind has been most active. Fond of literature and literary pursuits he delights in intellectual exercise, and he has given ample evidence of the fertility of his brain in the diverse English and Bengali papers and books which he has published within the last four years. He is full of promise of future excellence, but we are sorry to observe in him the same spirit of radicalism that marked the thoughts and utterances of the first alumni of the Hindu College. The change which had overtaken these was too sudden, too rapid, and too great, and the result was a most revolutionary spirit in them. They seemed to take a dislike for every thing Indian. Many of them used to consider their fathers "fools," the national customs and manners relics of barbarism, the national food and drink unsuited to their new intellectual life, the national institutions unworthy of their new status in the civilized world. They consequently sought to destroy all that was old and traditional in the country; of course they did not and could not succeed; but the revolutionary spirit which marked their course was a natural incident of the transition which they had undergone. In the same way our young men, who lived a few years in England, have returned to India with new-fangled ideas and opinions and although the complexion of the present time is different from that which heralded the first alumni of the Hindu College into the world, still we see now and then some outrageous symptoms of the change, which has come over the spirit of their dream. We do hope that the change on the whole is one for the better, and we believe that as in the case of the first students of the Hindu College, so in that of the returned Indian pilgrims from England age will sober down the excesses of youth. Fired with new-born zeal these youths may with a laudable ambition aspire to convert India into England, to raise the millions of this country, sunk for centuries into the abyss of ignorance and poverty, to the level of the civilized and prosperous nations they saw in Europe, to change as it were the face of Indian Society. We do not mean to say that all England-returned men equally sigh for revolution, but we do confess that we have been rather disappointed to see such a spirit in the leading exponent of this class of our young men. For many reasons we have a personal regard for Babu Romesh Chunder Dutt, but we cannot help telling him that he would have done better if he had taken Horace's advice and kept the *mss.* of his new book on the Peasantry of Bengal for twelve years in a drawer instead of at once rushing into print, for if he had done so he would have after that period doubtless perceived the blemishes in the pictures he has drawn. Time was when young Bengal used to begin his literary career, by depicting the woes of the ryot, whom he had studied as much as Macaulay's New Zealander. It was however a fruitful theme of declamation, and so long as he could gratify his passion for rhetorical flourish he did not care how far his statements were founded on fact. For the sake of a rounded period he would sacrifice any thing. Much in the same way we fear are conceived Babu Romesh Chunder Dutt's essays on the condition of the Peasantry of Bengal. With strange coincidence Sir George Campbell's paper on land in England has appeared simultaneously with the radical papers of Babu Romesh Chunder Dutt on the landed system in Bengal, and with equal justice we may say the remarks which the *Saturday Review* lately made upon the essay of the ex-India Proconsul apply to the production of the Bengali Civilian. We do not mean any offence to our young countryman when we say that it is hard to find whether the late Lieutenant Governor of Bengal or the present Assistant Magistrate of Bongong is more revolutionary, though we are not without a hope that with the increase of years the Bengali Civilian may comprehend the difficulties of the problem, which he has set before himself.

Babu Romesh Chunder Dutt's book is a terrible indictment against the English rulers of this country. It would seem as if they have with malice aforethought (these are his own words) determined to degrade and ruin the masses of the people. First comes poor Lord Cornwallis. Our author says:

"On the head of Lord Cornwallis will rest the blame, that the extortion of the zemindars and their underlings has not to the present day ceased—that the ill feeling between the ryot and his master has advanced with the advance of years. On his lordship's head will rest the guilt, that the most fertile source of revenue in a fertile country has been closed up for ever,—that the extension of cultivation has increased, not the wealth of the cultivators, but the number of a class of impoverished idlers, the zemindars with a two anna or one anna share of the ancestral estate. On his lordship's head rests the blame, that we do not yet see the faintest glimmerings of rural civilizaton, that the ryot of the present day is as thoughtless and improvident a creature as he was centuries ago, despite the notions of enlightenment imported from the west, despite the energetic efforts of English administration to remedy the defect."

Then comes **Lord Wellesley**:

"Lord Cornwallis was succeeded by Lord Wellesley as the Governor-General of India, and as if to mock the misfortunes of the peasantry he passed coercive measures to subject the persons and property of the peasantry to the tender mercies of the zemindar! It is impossible even in the present day,—after the lapse of the best half of a century,—to turn to the first fruits of English legislation in Bengal without a feeling of sadness and shame at the unfortunate manner in which the interests of the millions of Bengal were regarded and served by those to whom alone they could look up for protection. History describes with fulsome praise the administration of Lord Wellesley, and no doubt so long as mankind will continue to gape with silly admiration at martial triumphs and unprincipled annexations, Lord Wellesley will be lauded and worshipped. But the

impartial and candid student of history will not fail to observe that Lord Wellesley's reign is but one long tissue of the most unjust and oppressive warfare, extortion, and annexation. He was wrong in the war with Mysore, wrong in the war with the Mahrattas, grossly wrong in his interference with Oude. If an aristocrat, who regarded unprincipled vigour as the one means of good administration, betrayed a total want of sympathy for the plebeians of plebeians,—the ryots of the country,—is it a matter of wonder?

Our author thus notices the effects of English legislation on the condition of the poor peasantry:

"Four scores of years have rolled away since the Permanent Settlement,—what fruits have these eighty years of active legislation borne for the poor ryot? Echo answers what? Within this period a world of salutary legislation has reformed every department and every institution,—but whom does this concern?—Not the millions of the peasantry of Bengal whose history of these eighty years presents us with a cheerless blank. Commerce has thriven, but commerce to them is practically forbidden; and if agriculture has been extended, the zemindars and not the ryots reap the blessings. That servitude under which the ryots have groaned for centuries have now been rudely shaken, as we shall shew in the next chapter; but it has been shaken not through salutary legislation,—it has been shaken despite adverse legislation. In all other respects the ryot still lives as his forefathers lived, in ignorance and poverty, and yet finding time in the vacant routine of his every day life moments to smile and sing with an empty heart and unrepressed hilarity."

Our author has of course no patience for such rhodomantades as "rights of property," "capital," &c., and he regrets that this "bugbear of early English legislators, this Frankinstein of their creation," "proved fatal to all their good intentions." We however hope that our author does not allow his contempt of "rights" to influence his decisions in disputes between the zemindar and the ryot. Strange to say that our author, who only lately passed examination in the Revenue laws and regulations, should have committed himself to such a gross misstatement as this—that "these Regulations ignored the rights of all other ryots save the Istemari and Mokororiryots"—who were the *khodkast* ryots? Could they be ousted or their rents raised beyond the pergunnah rate? Were not these ryots at the time of the settlement three-fourths of the peasant population of Bengal? Were not the *pykasts* bought to reclaim new lands, and what permanent rights could these new comers claim, and did not even many of them get such rights, and have not all these ryots been made permanent in the occupation of their holdings under the occupancy clause of Act X of 1859? But let that pass. Our author admits that Act X. of 1859 is the Ryots' Charter, but he says, it is a "feeble protection" to that most numerous class of ryots the tenants-at-will. But there are now practically no tenants-at-will, for do they not after twelve years' occupation acquire a right of occupancy unless there be a specific engagement to the contrary? Our author would give rights of property to any person who may choose to squat on the land. He says, *let the rates of rent now payable be carefully ascertained after an extensive survey, and let such rates be declared fixed for ever.* So that any man can come and take possession of land at rents fixed for ever. And he has very good reasons for this proposal. Who is the zemindar, he asks, that he should oppress the ryots with demands for enhancement of rent? Our author thus pourtrays a typical zemindar:

"*He* sits quietly at his comfortable house in the city of palaces,—*they* labor in the field from sunrise to sunset and often keep vigils from sunset to sunrise; *they* work under the burning sun of May, under the torrents of August and in the shivering cold of December; *they* till the land and sow it, and weed the plants and reap the corn,—and *they* are harassed because they are unwilling to part with an ever-increasing portion of the fruits of their unceasing work. What is it that thus enables the zemindar to harass these ryots? Is there any moral right which enables an idler to oppress the poor and the lowly? That code of morals must be strange, indeed which would sanctify such a deed. Is it that the zemindars, are powerful and are so enabled to harass the weak? Those days are gone by, and under the shadow of the British lion the strong man trembles and the weak gets assurance and hope. No, it is a mistaken legislation which thus allows even to the present day a chronic oppression of the peasantry,—a legislation which it would not be a day too soon to mend."

And our author thus concludes this part of the subject:

"All this however may be avoided by the law distinctly stating that so much and no more will be exacted for ever in future,—not from the present cultivators and their inheritors and descendants,—but from those who in the present time or in future times may actually cultivate the land."

We confess our poor logic cannot resist this artillery of reason. It is enough to kill the poor legislators of this country.

Our author inveighs with equal enthusiasm against the English system of administration of justice. He says: "We have said that our rulers introduced the English system into India. Unfortunately they introduced it almost word per word and letter per letter—they forgot to modify it in accordance with the peculiar wants and exigencies of the country. People have learnt that the court is determined to act only on the testimony of so-called eyewitnesses produced in the court from a distance sometimes of 20 or 30 miles. To get up such witnesses, to coach them thoroughly as to what they are to say in a court of justice, to give them lessons in lying and false swearing—these are the proper means to win a case; and people are not slow to adopt such means and their efficacy is proved every day and every hour. Fraud and chicanery are increasing and the present system of administration is thus contaminating the morals of the villagers of Bengal." Our author like Sir George Campbell objects to the lawyer. He says:

"We do not know how far even the employment of Barristers and Vakeels by private parties in the superior courts serves the purposes of justice. The rich criminal secures the highest talent and eloquence to screen him from deserved punishment, the poor man who seeks justice has none to advocate his claims and many to oppose them. We confess we have grave doubts as to whether these circumstances are conducive to the interests of justice, or whether the conscious exerting of talents in the cause of falsehood is honorable to a profession."

The writer thus goes on:

"Next come in the Amlahs of our courts, humble to servility before the Hakim, haughty and overbearing towards all outsiders, and in corruptness and dishonesty yielding to no class of people on the face of the earth. Surrounded by coached up and therefore perjured witnesses, lying and misleading Muktears, a corrupt police, and Amlahs deeply bribed,—bound down by law to a system of procedure the least adapted to the eliciting of truth,—compelled to rely on the so-called evidence rather than to his own shrewedness and the probabilities of the case,—what wonder if the most intelligent Magistrate will sometimes totally fail to arrive at the truth?"

He thus comments on the Police:

"The corruption of the police is often complained of, but few are aware of the extent to which it prevails in this country. Few have realized to themselves the astounding fact that not one per cent of constables and head constables are above corruption, and that even among Inspectors and Sub-Inspectors an honest man is an exception. The few improvements mentioned above have been caused not by the Act V. of 1861, but by the creation of Sub divisions which, by bringing the Magistrate near the scene of action as it were, has been productive of greater good to the country in a variety of ways than almost any other administrative measure that may be named. Thirteen years have elapsed since the passing of the Police Act, every attempt has been made to raise the stamina of the police,—the pay of an Inspector of police has been increased to Rs. 250, *i. e.* the pay of a Munsiff, and certainly a respectable pay for a post of that nature; a fair trial, therefore, it may be supposed, has been given to this Act, and after such trial the Act has failed most ignominiously."

Our author has however a drop of sympathy in one corner of his heart for that arch-demon, the zemindar:

"Zemindars complain with justice, but complain in vain, that the British Government, while rigorously strict in exacting rent in stated times, affords them no means of exacting rent with equal regularity from their dependent tenants and ryots."

Again:

"In the civil court their case like a wounded snake drags its slow length along,—but in the meantime at every sowing and reaping season some rioting is sure to take place with respect to the disputed land,—and the criminal court is compelled to chastise both parties once in six months,—while the zemindar quietly sits in his Kachari, watching the game with interest and laughing in his sleeves. In a second instance, a ryot is justly or unjustly ousted. A reference to a civil court would no doubt right matters,—but it would so perhaps after a year,—and his ruin would by that time be complete. He naturally, if not justly, sticks to his old soil and homestead, prepared to defend his rights against any new comer who may present himself, and if the worst comes to the worst, then and not till then to refer to the civil court. In a third instance, entire villages become annoyed with their master, and in a fit of indiscretion declare that their zemindar shall levy no rent. What is the poor zemindar to do? The law prescribes a reference to the civil court for levying rent on every particular ryot who refuses to pay his due. The law forgets that long before a zemindar can levy rent in this way,—a work of years,—his estates and lands would all be sold for arrears of revenue payable to Government. It is easy to multiply instances,—but *qui bono?*"

After all the author has said, a few specimens of which we have given above, is it not a matter of wonder that he should have penned the following?

"Well then we have it from some really good and respectable zemindars themselves, that ryots will never combine against their zemindars till brought to straits. On the contrary, instances are by no means uncommon,—and may be cited by dozens by those who live in the Mofussil—of ryots voluntarily giving six months' or a year's rent in advance to save the estate of a really kind master. And indeed this stands to reason. The risk which a ryot runs of being harassed and ultimately ruined, if he comes to terms of disagreement with his master, is so great, that he makes it a point never to fall out with him so long as it can be helped; and when estates are going off from the hands of a really kind master, the chances that his successor will prove equally kind and see every thing with his own eyes and not through subordinates, who almost invariably turn out little tyrants, are so slight, that the ryot spares no pains, no sacrifices to keep a really good master in his place."

As a sample of our author's knowledge of village-life we give the following:

"Young widows seldom remain pure in character. A solitary life is felt to be so cheerless, the temptations are so strong, that they are seldom resisted. In most cases the young widow elopes with some particular villager, and then remains constant to him for probably years together as his wife to all intents and purposes. When we consider that widow marriage is strictly interdicted by the Hindu religion, when we think of the extreme hardship which a widow has to put up with specially if she is an orphan, we are almost tempted to excuse her conduct when she flies from her distress to the protection of a man,—we are almost inclined to admire her constancy and faith towards her chosen paramour, for so society calls him. Prostitution as it obtains in our towns is unknown in villages."

Our author, however, in one place admits that his "experience is limited," and it is because such is the case we think he would have done better if he had followed Horace's advice and kept the *Mss.* for twelve years. He seems to be dissatisfied with every thing in existence, and would create a new world from the bowels of his own consciousness if he had the power to do so. We may however tell him that irresponsible radicalism is one thing, and revolutionary rhodomantades in a responsible officer are another.

LATEST NEWS AND NOTES.

WE BEG to draw attention to an advertizement in another column announcing a reception of Native gentlemen at Belvedere. Those who have not received invitations are requested to send in their names to the Private Secretary with those of their referees.

WE ARE in a position to state that there is no truth in the rumour that Sir Douglas Forsyth goes to Oudh as Chief Commissioner. Mr. Inglis has been appointed to officiate for Sir George Couper, and will proceed to Lucknow in a day or two.

WE ARE requested to invite attention to an advertizement in another column announcing a lecture to be delived by Mr. W. Maughan for the benefit of the Calcutta Girls' School. The gentleman hails from Scotland and is travelling through the principal countries of the world. He has already published a book of travel entitled the Alps of Arabia. He has visited Bombay and Northern India, has been here for about a fortnight, and will shortly proceed to Madras.

AT LAST SATURDAY'S sitting of the Bengal Council the Famine Grain Loan Bill was passed after a very conciliatory address from the President. The Jute Bill was considered in Committee. The Hon'ble Doorga Churn Law moved certain amendments embodying a few general rules for the licensing of Jute Warehouses and lowering the minimum fee from Rs. 250 to Rs. 150. The motion was opposed by Messrs. Hogg and Schalch, and on being put to the vote was lost, only the mover and another native member voting in its favour. The Hon'ble Mr. Dampier then moved a second amendment proposing that the whole Bill be referred back to the Select Committee with instructions to insert some general rules in the Bill. This motion, which also was opposed by Messrs. Hogg and Schalch, was carried by a large majority with the addition of the Hon'ble Mr. Brookes and a native member to the Select Committee. The debate on the Bill was very interesting.

THE FACULTY of Arts of the Calcutta University, at a meeting held on Saturday last, elected the Hon'ble Mr. Justice Markby, President of the Faculty for the ensuing official year, and Mr. Atkinson and Rev. Mr. Dyson representatives of the Faculty in the Syndicate. As usual no native of India represents the interests of his countrymen in the Syndicate, for the learned Dons think it of greater importance that the missionary body which enjoys a large hank of the educational cake should be kept in good humour than that the people of the country for whose benefit the University justifies its existence should be allowed an opportunity to have their say in matters connected with the education of their children. It may be that there is now no Hindu on the rolls fit to sit in the Syndicate, though there were many as long as Sir Cecil Beadon was the Lieutenant Governor of Bengal; but the very profitable trade in school-books of a certain class which the Syndicate has lately brought into vogue, would suggest the idea, that other causes are at play, to lead to the systematic exclusion of the natives from the Syndicate.

WE ARE indebted to a friend for a report of the trial of the Barahanagar Libel Suit in appeal

before Mr. Maclean, the Sessions Judge of 24-Pergunnahs, which came off on Saturday last. We are sorry we cannot owing to press of matter make room for the whole report, and are therefore compelled to withhold the excellent address of Mr. Manomohun Ghose, who appeared for the appellants. We give below the substance of the judgment of the Sessions Judge:

"The Judge Mr. Maclean in giving Judgment said that he entirely differed from the Deputy Magistrate in his estimate of the apology made by the appellants. He thought that the apology was quite sufficient and that the sufferings of imprisonment was altogether uncalled-for. He was precluded by the plea of Sasipada Banerjee from considering whether as Proprietor he was criminally liable, but, inasmuchas he was the Proprietor, and had pleaded guilty, he would sentence him to a pay a fine of Rs 150, and the editor to a fine of Rs. 50. The Court was much crowded and the decision of the Judge was received with satisfaction by a large number of Baboo Sasipodu Banerjee's friends."

This is a just and righteous decision and will be hailed with satisfaction by the native public.

THE *Indian Economist* as usual has a misleading paragraph about the economic effects of the Permanent Settlement based on Road Cess valuations. Our contemporary thus summarises these valuations:

	Rental taken by Zemindars		Land Revenue.
Burdwan	Rs.	74,94,099	Rs. 30,59,800
Hooghly	,,	30,08,761	,, 14,59,970
24-Pergunnahs	,,	43,76,798	,, 16,73,989
Nuddea	,,	27,50,647	,, 10,41,852
Jessore	,,	38,28,030	,, 10,50,393
Moorshedabad	,,	32,79,820	,, 13,50,289
Rajshahye	,,	34,08,969	,, 10,33,524
Dacca	,,	22,49,524	,, 4,92,775
Fureedpore	,,	12,01,030	,, 3,31,038
Monghyr	,,	33,79,596	,, 8,46,381
Bhagulpore	,,	43,90,309	,, 6,85,560
Purneah	,,	28,59,695	,, 12,29,335
Cuttack	,,	21,07,452	,, 8,47,401
Pooree	,,	10,41,445	,, 4,85,345
Balasore	,,	8,70,243	,, 4,04,091
Hazarcebaugh	,,	10,47,847	,, 1,10,343
Total		472,13,324	161,02,098

Nearly two-thirds of the gross assets *prima facie* constitute the profits of the zemindars, and one may well suppose that they are wallowing in wealth. But the real fact is that out of the aggregate valuation for all the districts, amounting to Rs. 4,72,13,324, or nearly 4¾ crores, Rs. 3,14,90,811, or a little over 3 1-7th crores, are due to under-tenures, or fully 66 per cent. of the entire valuations. Thus the bulk of the profits is intercepted by under-tenure-holders. In other words there is a fair distribution of the income derived from the land. This is the most important feature of the Permanent Settlement. It is not the few, as isoften erroneously supposed, who live upon the fat of the land. All classes of the community participate in the abundance which the soil yields, and this accounts for the prosperity of Bengal from the Permanent Settlement.

A TALE of barbarous treachery comes from the Naga Hills of Assam. A correspondent sends us the following:—

"Perhaps before this reaches you, from other sources you have heard of a serious accident which occurred in a place of disputed jurisdiction off Joypore in Debrughur. A party consisting of Captain Badgley, Lieutenant Holcombe, 11 Policemen and 35 of the Native Infantry together with a lot of tindals and coolies went as a survey party. In the beginning of this month during the first week, a few Nagas came and met the survey party under some false pretence leaving some 200 of their crowd somewhere in the nearest jungle. The first batch of the enemy struck dead Lieutenant Holcombe, Assistant Commissioner of Joypore, and wounded Captain Badgley Deputy Superintendent of Revenue Survey, when he came to the rescue of the former officer. Captain Badgley however fired to death about eight of the Nagas. The men of the British party were quite unprepared to meet so sudden an attack, consequently 79 in all fell victims at the hand of our savage enemies, leaving 24 severely wounded. Prompt steps have since been taken to guard the frontier and you will hear more hereafter."

Just as we were going to press we received an official report of the raid, for which we regret we have no space left. Captain Badgley gives the following list of the Survey party:

	No.	Killed.	Wounded.	Unwounded
Officers	2	1	1	0
Jemadar 44th	1	1	0	0
Havildars ,, ...	2	1	0	1
Naiks ,, ...	2	0	2	0
Bugler ,, ...	1	1	0	0
Sepoys ,, ...	36	7	9	20
Havildar Police... ...	1	1	0	0
Sepoys ,, ...	11	7	0	4
Hospital Assistant ...	1	1	0	0
Baboo	1	0	0	0
Weighman	2	0	0	1
Survey Khalasies ...	8	4	2	2
Khasia Carriers... ...	79	39	29	17
Gorkha ,, ...	26	4	3	19
Naga ,, ...	16	12	2	2
Diasia ,, ...	4	2	2	0
Servants ,, ...	5	1	4	0
Total	197	80	51	65

Captain Badgley thus concludes:

"The attack was a preconcerted plan of the Sanna and Ninu people, who were assisted by men from Noka (a Ninu village), and as I hear, were recruited by Niov. My escape without attack by Sanna, I attribute to my having said that I intended to halt at the camp near for several days. I heard that Sanna had sent to a village close by, who had agreed to help in destroying us, and they probably considered my march the same afternoon a stratagem. They soon discovered that we had gone and I sent a followal up party. I hope that the punishment of these people will soon be taken up.

AS WE had anticipated a hitch has occurred in filling up the place of First Judge of the Calcutta Small Cause Court during Mr. Fagan's absence for three months on privilege leave. The law requires the appointment of a Barrister to be a First Judge, but neither the second nor the third Judge is a Barrister, and the Government must therefore either appoint Mr. Sconce to the first Judgship or draft some other Barrister. Now as Mr. Fagan has applied for privilege leave, to which he is entitled under the Uncovenanted Service rules, he is not liable to deduction of pay, and if the Government does not appoint Mr. Sconce it must be prepared to pay for a new Judge, a contingency which it did not apparently foresee in sanctioning the late arrangement. It is said that objection is taken to Mr. Sconce's personal bearing; this appears to us to be a most futile objection. If Mr. Sconce gives satisfaction as Fourth Judge, we see no reason why he should be thought incapable of acting for the First Judge for three months. We cannot believe that the two senior Judges can take objection to this course, for only last week Mr. Macpherson was appointed to officiate as Chief Justice of the High Court in supersession of his seniors and some of them Barristers in the bargain! We submit that the public will have a just right to complain if public funds be sacrificed to humour the personal predilections of individuals or any section of the public.

A SPECIMEN of commercial morality in Calcutta. Messrs. Finlay Muir & Co., brought an action against Messrs. Avdall & Co., to recover the sum of Rs. 12,778-11-3, being the amount of damages stated to have been sustained by the plaintiffs by reason of the failure on the part of the defendants to pay for, and take delivery of a cargo of coal, known as Watson's Hartley Steam Coal, to arrive by the ship *Grecian* at Rs. 21 per ton, Bill of Lading weight, less usual allowance of 2½ per cent. It transpired, in the course o the inspection of documents that a letter was discovered dated the 23rd January 1874, in which the plaintiffs informed their Glasgow firm that the coal had been sold at the risk of the purchaser and that they had bought it in for themselves. It appeared in evidence at the trial that the coal was advertised by Messrs. Mackenzie Lyall & Company only one day prior to the sale. and that the broker, who purchased it in the name of Gris Chunder Mookerjee and Brothers, received his instructions from Mr. Williamson, the manager of the plaintiffs' firm. It also appeared in evidence that the coal was shortly after the sale re-sold in small quantities by the plaintiffs to other parties at considerably advanced rates—rates higher in fact than that agreed to be paid by the defendant. On these facts appearing, the Court without calling on the defendants delivered its judgment. We copy from the *Indian Statesman* the following remarks of the presiding Judge, Mr. Justice Macpherson:

"I think, the plaintiffs have failed to prove their damages if they had dealt with the coals, after due notice and advertisement they would have been entitled to charge the defendant with the loss. Their course of action, in this matter is most peculiar, and such as I have not met with in all the years I have been in this court. They hurried on the sale with the least possible publicity, and then bought them at the auction a Rs. 13 per ton, and afterwards re-sold at considerably advanced prices. It seems to me perfectly clear that if a vendee declines to accept goods which he has bought, and they are sold on his account and risk, and if the vendor buys them in, he renders himself accountable to the person on whose account he has sold. It is contrary to the commonest principles of equity to make a profit by damages when the goods are bought at low price, at a sale which the purchaser has himself brought about. If the person, who bought at the sale was a stranger, a line may be drawn as suggested. But the circumstances of the whole of this re-sale are peculiar and highly unsatisfactory. On the 16th January 1874, the coal was advertised for sale. Mr. Owen as a coal broker received instruction from Mr. Williamson to purchase the coal in the name of Mookerjee Brothers, and I think it was nominally bought for the plaintiffs. Even admitting that there exists a partnership between the plaintiffs and the nominal purchasers, indeed, I think, it is exceedingly doubtfull whether the purchase was not substantially and in fact the plaintiffs purchase. Their letter of the 23rd January to their Glasgow firm distinctly states that they were the purchasers, though Mr. Williamson now says that that was a mistake. Why should I believe Mr. Williamson now, more than his own statement in the letter which was written at the time of the transaction.

Cases like this and the notorious Shellac case are not calculated to enhance the reputation of Calcutta for commercial morality.

THE CRY raised in the *Indian Economist* against the Native Press has found an echo in the columns of the *Pall Mall Gazette*. The London Journalist gives a queer reason for the alleged unsatisfactory tone of the Native Press. The writer says:

"What, then, are the causes of state of things which those who rate it lowest will admit to be serious? The first and most powerful is undoubtedly the unhealthy precedence which, what is called in India the higher education, has obtained over the lower. While in the agricultural districts of India there are villages upon villages in which not a single human being, except the hereditary accountant, can read or write, the three universities of Calcutta, Madras, and Bombay, and their affiliated colleges are crowded like the European universities of the middle ages. The education obtained there is almost purely literary, but the thirst for it spreads itself far and wide because the prize to be won by success in examinations is that which of all others natives of India value highest—employment in the public service. But the number of graduates who obtain appointments is small compared with those who fail; and what becomes of the disappointed men? Some of them attach themselves as pleaders to petty courts, but the probability is that a large proportion become journalists. It is, in fact, said that a native graduate if he can get a promise of fifty subscriptions, never hesitates to establish a newspaper; and it is instructive to find this very statement made of university graduates in Greece, where precisely the same mistake of unduly stimulating the higher education at the expense of the lower has been made as in India."

Unfortunately for the writer the fact is otherwise. The writers of the vernacular press are for the most part unacquainted with English. As for the Indo-English papers, the *Pall Mall* writer is gracious enough to say:

"The journals written by natives in English are infinitely more sensible than the vernacular press, doubtless because it is expected a certain number of Englishmen will read them. And, even among the vernacular newspapers, the few which shows that their contributors have really consorted with Englishmen are but little open to the criticisms of the writer of the article before us. They are not always complimentary; but we have no right to complain of a journalist who accuses the English of great pride, miserliness, selfishness, and excessive deference to wealthy persons, if he adds that they are distinguished by "daring" and by "great morality and steadiness of conduct."

Why then give a dog a bad name and hang it? Wherein is High Education in Bengal at fault?

FEW of our readers we believe are aware of the sweeping character of the measures which the Health-Officer and the Engineer (Mr. Clark) have recommended for the improvement of the *bustees* in the town. After obtaining a correct plan of each *bustee* the next thing to be done, says the Health-Officer, is to clear the land, if necessary, of all the huts. He then goes on:

"The jungle should then be cut down, the ponds and drains and marshy lands filled up, and the ground properly levelled so as to prevent any possibility of the water stagnating in any place. The land being prepared, a proper tank should be selected amongst those existing for the supply of water for domestic purposes, as well as one or two sites for public latrines. The principal roads should then be marked and the land divided into building blocks, after which it will be comparatively easy to define the position of the bye-lanes. The tank should be of a proper size and capable of supplying the bustee with pure and wholesome water. It should be re-excavated and the sides should be duly sloped and carefully puddled so as to prevent any percolation;—the impurity of the water of most of the existing ponds being to a large extent due to side percolation. The latrines should also be of a proper size capable of accommodating the inhabitants of the village and be constructed on the plan adopted by the Justices. Half of those latrines should be reserved for the use of the female population. No private tattie should be allowed to exist in connection with any hut, except in cases where there are many children and aged women.

The roads should be constructed of due width to admit of conservancy carts traversing the bustee, and there should be a sufficient number of bye-lanes to render every point of the bustee accessible for conservancy purposes. The bustee being laid out, the number and position of the drains should be marked out. This is a work of much importance and should be carefully done so as to provide for the proper drainage of the entire bustee. The drains should be made pucka, so as to prevent percolation of the sewage into the soil, and the gradients should be such as to admit of a easy flow. This will prevent the sewage standing long in the drains, and remove one of the principal causes of malaria. The proper lighting of the bustees is of great importance also. The position of the lamps should be so arranged as to light the entire village. This will be of much help to the Police and contribute not a little to the prevention of crime."

The Engineer generally accepts the scheme of the Health-Officer and fills in the details, some of which we give below :

"The huts if erected in blocks, with an inner compound, affording a back entrance to each, the space so left may contain a 'stand post' for the supply of water to the block; to which all the tenants would have access ; a means of access must also be left open for the Municipal Officers.

The same place may contain a privy for the ryots, (separate places for each sex) which would be regularly washed out by the Conservancy Department.

All slops and dirty water to be thrown in to proper trap'd entrances to the sewer in this open space.

Pipe sewers would be laid to convey away the night-soil and the drainage.

The expense of the water supply and drainage should be borne by the owner."

In other words the proprietors must cut up the lands with broad roads, each to be wide from 12 to 15 feet, fill up the old tanks—where the materials are to come from neither the Health-Officer nor the Engineer condescends to say—metal the roads and maintain them, pipe the lands through and through for drainage and water-supply and light the bustees! We wish these officers had given the aggregate area of the *bustee*, the quantity of land that would be taken up for roads, and the cost of rebuilding the huts upon a standard plan, and that of pipe drainage and water-suppply and lighting. The cost of filling in a moderately sized tank with town sweepings alone comes to more than 2000 Rs., and the reader may well imagine what would be the expense if earth has to be brought by carts from distances of miles and miles in the absence of town-sweepings. Then we should like to know the length in miles of piping for drainage and water-supply. Perhaps we do not exaggerate if we say that the mileage would be equal to nearly half the piping laid down by the Justices for the town. It was these extravagant ideas of improvement, which the Justices at their last meeting refused to sanction on the so-called responsibility of the executive. We may observe that there is a desire on all sides for improvement ; but the scheme should be reasonable, moderate, and economical. Above all the Justices should co-operate with the proprietors in carrying out the desired improvements. We do hope that the Special Committee appointed by the Justices will give a scheme, which will not be ruinous to the proprietors or oppressive to the tenants, but will at the same time meet the reasonable requirement of sanitation.

WE HAVE but small opportunities to know how the summary clauses of the Criminal Procedure Code are working in the Mofusil. There is no press in the districts enterprising enough to report such cases, and the people in the Mofusil are generally too timid to send them to the Calcutta papers. Now and then we have faint glimpses through Mr. Sutherland's *Weekly Reporter*. From that journal we copy the following case referred to the High Court by the Session Judge of Hooghly :

"The accused have been convicted under Sections 352, 341 Penal Code, in a summary trial, and have been sentenced to six weeks' rigorous imprisonment, which is a sentence from which, if passed in a summary trial, no appeal lies. From the facts found by the Magistrate, it appears to me that they should have been convicted either under Section 353 or under Section 342, Penal Code. In either of which cases a summary trial could not be held and the sentences passed would have been subject to appeals It is in this that the illegality consists.

The facts are stated at length in the Magistrate's judgment, but it is sufficient, I think, for the purposes of this reference if I quote merely the summing up of the Magistrate, which is to the following effect :—"The case seems to me a very bad one, and is not a solitary one ; only a month before, most of the accused, in the house of this very Baree Madhub Doss, were reported to have grossly abused the prosecutor for doing his duty towards one of their number. Cases in which constables have been beaten for doing their duty towards Baboos in liquor are far from infrequent. There have been cases in which constables have begged to be excused from taking up drunken Baboos, so much do they dread the consequence and the enmity of those men. A Baboo of good social position, who is not ashamed to get drunk, finds the interference of a low born common constable an absolutely intolerable indignity. His kind sympathizes with him actively The presumptuous constable is thrashed, and becomes a marked man. If he ventures to complain, he is at once seriously accused and put in no small danger. In this case the story of the man on the wall seems wholly unworthy of a moment's belief. I believe that the accused Baboos on being ordered by prosecutor to keep quiet, got so heated with liquor and indignation that they assaulted and beat the prosecutor and refused to release him when desired to do so by the head constable, and that in fear of the consequence of this act they have trumped up the grave charge against the constable and have hired a Barrister and Vakeels to maintain it. I must protect the constables against treatment of this kind and mean to make a severe example. To attack and bind a constable when on duty is a serious matter for drunken men to be convicted of ; to refuse to release him when called on to do so by a police officer and to deprive him of his uniform is an aggravation. To follow this up when sober by falsely charging their victim with feloniously entering a house is a very heavy aggravation.' In this latter portion Baree Madhub, Juddoonath and Gopal and Khetter Mullick are apparently alone, and it is these men who have been most prominent throughout, I will not give them any option of paying a fine, but sentence them to six weeks' rigorous imprisonment under Sections 352 and 341; awarding no sentence under Section 20 of the local Act. The remaining defendants are fined Rs. 20 each under the local Act, and Rs. 10 more for the assault. I note Mr. Allen's objection that the accused should be tried only under Section 353 for assaulting a public servant on duty from discharging his duty. I do not think so. It is possible that they might be convicted under that Section, but not unless they were guilty under Section 352 as well. I see no reason why the charges of being drunk and disorderly and of committing illegal restraint should not be superadded to a charge under either Sections 352 or 353 of the Penal Code."

The Honorable High Court will observe that the illigality on which I make this reference was brought to the Magistrate's attention by the Counsel for the accused. It seems beyond dispute that a Magistrate cannot convict of an offence made up of only a portion of the facts which he finds against a prisoner, so as to give himself jurisdiction to convict a prisoner summarily. If he could do so, he could in this manner pass a sentence up to three months' imprisonment for the lesser offence a sentence which would not be open to appeal ; whereas if he convicted an accused properly for an offence made up of all the criminal acts that he had committed, any sentence beyond one month would be appealable. The object of the law is, I submit, to give a Magistrate final jurisdiction in petty cases, not to give him an extended jurisdiction over any case by allowing him to convict on only a portion of the facts proved, and so to reduce what may be a serious offence to one of its elementary parts The case reported at 22 W. R. 294, is in point, as the charge in the case under report was apparently made, and the police report submitted it as one under Section 353, Penal Code, but the Magistrate, notwithstanding that he appears to have considered all the facts proved which constituted that offence, convicted on the minor charge under Section 252.

In conclusion I beg to state that pending the orders of the Honorable High Court I have directed the accused to be admitted to bail."

The High Court, Messrs. Kemp and Birch presiding, remarks as follows :

"We think, with the Sessions Judge that the accused in this case ought to have been tried under Section 353 which relates to an offence not cognizable by a Magistrate summarily under Chapter XVIII of the Code of Criminal Procedure. The proceedings of the Magistrate are set aside, and a fresh trial directed."

The abuse of power pointed out is exactly what we had apprehended.

LONDON CORRESPONDENCE.

London 22nd January, 1875.

THE Calcutta Correspondent of the *Times* has, in his last letter, paid us the compliment of presenting to the British public a delineation of our national character, as distinguished from that of the Sikhs. He has raised the old cry of excluding the Bengalis from public employments outside Bengal. But the question is, on this occasion, made to rest not upon a mere matter of sentiment, but upon grounds of imperial policy. The correspondent declares that, he is an admirer of Lord Mayo's scheme of decentralization, and "as it is manifestly unjust that the inhabitants of the Punjab should be taxed for the excavation of a canal in Behar or *vice versa*." So "it ought to be laid down that in each province all that part of the judicial or executive duties which are entrusted to the natives should as far as possible in that part of India be filled by natives of that province and by none other" "The Sikh," we are told, "acquiesces in the English conquest with a sense of humiliation, but it is a cruel wrong and one which he bitterly resents to accept as a ruler, as a person of authority in effeminate Bengalee whom he hates and despises with all the intensity which a gallant, high-minded race feel for timidity and unmanliness." Not to speak of the fact that there is no Bengali in the Punjab exercising judicial or executive functions, and that therefore all this talk about the resentment of the Sikhs is so much trash, if this is good reasoning as regards the Bengali, it is good reasoning as regards the English. If it is a cruel wrong to compel a people to accept as their Rulers men for whom they have no love and whom they may even hate (whatever may be the causes from which this frame of mind proceeds) is it permitted to an Englishman to make use of this argument in the face of the widespread feeling of discontent which is now said to prevail in British India. If the Sikh acquiesces in the English conquest with no sense of humiliation, he must have greatly deteriorated from the warriors of Ferozeshur, Subraon and Chillianwalla and can hardly be the "splendid specimen of humanity" which he is described to be in this letter. We do not, however, wish to be understood as saying anything against the Sikhs A more spirited, high-minded and chivalrous race, perhaps, does not exist in India. But what can the Calcutta Correspondent of the *Times* mean by instituting this invidious comparison between them and the Bengalis? The comparison is utterly uncalled-for and does not in the least, further his argument, as we will presently shew. But we hope no Indian Journalist will be found to be so forgetful of his position as to be tempted by it to extol the Bengalis at the expense of the Sikhs. The Siks are as much Indians as ourselves. They and we have common interests and common duties. Even at this distance of time, we take a pride at the heroic resistance which Porus offered to the arms of Alexander, and read with satisfaction his noble answer which more than half redeemed the disgrace of defeat. Time has effaced these sentiments. A common doom has only quickened our sympathies.

"I know," says the correspondent, "what is the prevalent opinion respecting the Bengalee in England. It is imagined that under the inspiring and penetrating influences of English Education, he has arisen out of the sleep of ages like a giant refreshed with wine, that he, in a word, the most brilliant result of British rule in India. This notion is simply laughable. The Bengalee has sunk far below the reach of educational remedies and you might as reasonably attempt to reate a soul under the ribs of death as to impart to him a new life by means of lectures on English Literature and Philosophy. The effects of enervating self-indulgence, practised with steady perseverance during the lapse of many centuries, cannot be effaced with so much ease and rapidity. My own conviction is that just as there are certain bodily diseases, which defy all human remedies, so the mind may also be sick unto death and that the people of Bengal Proper, a long time ago sank into this hopeless condition. It is only a momentary spasm of galvanized life which our educational batteries have thrilled them with. And as in Edgar Poe's Story, were this force removed, the seemingly resuscitated corpse would crumble away instantly into an indistinguishable heap of dust." * * The Sik is above all things a Soldier, a man who is proud of his own Courage, who respects it as the first of virtues in others. The Bengalee is as timid as a hunted hare. The Sikh is a lover of the chase. A Bengelee can neither fire a gun nor mount a horse. In a word, in language, in the habits of life, in modes of thought, in appearance, in all that distinguishes one people from another, the Sikh and the Bengalee differ. In intellect not less than physique, the Sik is greatly the superior ; the solitary advantage the Bengalee has over him is that he knows a little more English, due to the accident of having been longest under the British. Consequently to govern the Sikh by means of the Bengalee, is nothing less than to inflict on the former a second servitude with a sting of humiliation in it that was absent from the first."

Now all these remarks even if true do not seem to be so relevant. They would only prove that the Bengalies ought not to be placed over the Sikhs. But the general principle which is sought to be established is of much wider application. One fails to see how a tirade against the Bengalis helps to prove the proposition that in each province all that part of the judicial and executive duties which are entrusted to natives "should as far as possible be discharged by the people of that part of India and by none other."

Whether the Bengalees are so hopelessly sunk or not is a question which time can alone decide. But it is at the same time impossible not to observe on all sides the signs of a resuscitated rational life. The steady growth, of public opinion, of commercial enterprise, of a national literature ; the ever-increasing desire on the part of the ambitious youth of Bengal to take part in the Government of their country, a feeling of keen dissatisfaction with the existing order of things, with their social institutions with the religious life of the nation ;—do these not all point to a state of things different from that which the Calcutta correspondent of the *Times* would have the British public to believe. Nor can we forget the remarks which it was the fashion to make about the Italians and the Greeks before they achieved their national existence. It seems to be the privilege of free nations to help abuse and contumely upon their less fortunate neighbours. The Italians were described as a race of fiddlers and as fit for nothing great or good, and that too by men of far greater political sagacity than perhaps the Calcutta Correspondent of the *Times*. But the hour and the man arrived : and these fiddlers became the heroes of Italian independence.

But assuming the hopeless degradation of Bengal to be as true as it is assumed to be in the letter under notice, is it no reproach to Englishmen, does it cast no reflexion upon the English Government that their administration of the country for a period of something more than a century was not only of no avail to raise the condition of the people but that it was not even sufficient to inspire such well-wishers of the Indians as the Calcutta correspondent of the *Times* with hopes for the future.

Now that the cry has been raised it behoves such of our countrymen as hold offices outside Bengal to be careful as to how they exercise their authority. Any act of tyranny, any arrogant exercise of power, would be as strongly reprobated by their own countrymen, as it is sure to be condemned by the Government. They ought never to forget, that Hindustanis, Punjabis, Mahrattas, are like them all Indians with common interests and common obligation and that if they do not possess to the same degree the advantages of English education, they owe it to the independence which they enjoyed not long ago.

Mr. Gladstone has retired from the leadership of the Liberal party. The choice lies between Mr. Forster and Lord Harrington, Mr. Bright is too old and infirm to be the leader of the Liberal party ; and possibly his opinions may be far too advanced for the majority of the Liberals to adopt ; and he is not the man to sacrifice any of his principles in the hope of future preferment.

ACKNOWLEDGMENTS.

MOFUSSIL SUBSCRIPTIONS.	Rs.	As.	P.
Kumar Bonowaree Anund Bahadoor, Bonwareebad	8	4	0
Public Library, Serampore	13	4	0
Secy. Umbella, Reading Room	5	0	0
Bombay Branch Royal Asiatic Society	13	4	0
Secy. Kollapore Native Library	13	4	0
J. Dacosta Esq., London	20	2	6
Lingham Lakswajee Esq., Vizagapatam	10	0	0
Secy. Debating Club, Moorshedabad	7	0	0
Moulvie Ghulam Sumdany, Chuprah	6	10	0
Baboo Anundram Barooah, C.S. Mymensingh	13	4	0
,, Perbuttychurn Mookerjee, Bhaugulpore	7	8	0
,, Kallyprosunno Chatterjee, Secy. S. L. Association Cuttack	20	0	0
,, Mohendronath Ghose, Lucknow	6	10	0
,, Nemychurn Mojoomdar, Benares	13	4	0
,, Gobindchunder Banerjee, Gawan	6	10	0
,, Bacharam Chuckerbutty, Secy. Bodson Institute	13	4	0
,, Kanteechunder Mookerjee, Barrackpore	13	4	0
,, Krishnakumar Sein, Mymensingh	13	4	0
,, Jodoonath Ghose, Sarungoting	5	0	0
,, Bacharam Ghose, Maunbhoom	13	4	0
,, Poornachunder Das, Jamalpore	13	4	0
,, Jodoonath Chatterjee, Raneegunge	10	0	0
,, Jogessar Ghose, Hooghly	13	4	0
,, Kallyprosunno Mookerjee, Secrajgunge	13	4	0
,, Degamber Biswas, Burdwan	13	4	0
,, Mohendronarain Singh, Bansbareah	3	0	0
ERRATA.			
Read Baboo Romanath Seal, in lieu of Ramanath Seal, Gungajulghatty	13	4	0
,, Jogeshchunder Roy, Gowalparah 6-10 in lieu of	5	0	0

Government Notifications.

Calcutta Gazette.—*February* 17, 1875.

GENERAL.—*The 12th Ferbuary* 1875.— Baboo Rash Behary Bose, Deupty Magistrate and Deputy Collector, having returned to duty on the 26th October 1874, the unexpired portion of the leave granted to him under orders of the 15th August 1874 is cancelled.

Mr. Edward Stewart, Deputy Magistrate and Deputy Collector, Rajmehal, is appointed to have charge of the Sasseram Division of the Shahabad District.

Mr. Andrew William Cosserat, Extra Assistant Commissioner Julpigoree, is transferred to the Sonthal Pergunnahs and placed in charge of the Rajmehal Division of that District.

The 13th February 1875.—Baboo Gunga Nundo Mookerjea Extra Assistant Commissioner, Manbhoom, is allowed leave for seven days, in extension of the leave granted to him under orders of the 16th January 1875.

Mr. James Monro, of the Bengal Civil Service, reported his departure from India, on furlough, on the 15th January 1875.

Mr. William LeFleming Robinson, Magistrate and Collector, Dinagepore, is appointed to be Commissioner of the Chota Nagpore Division, with effect from the date on which he may relieve Colonel E. T. Dalton.

The services of Captain Richard Thomas Hare, who was placed temporarily under this Government for famine duty, are replaced at the disposal of the Government of India, Military Department, with effect from 1st March next

Mr. James Anderson, Joint-Magistrate and Deputy Collector, in charge of the Cox's Bazar Division of the Chittagong District, is transferred to the Sudder station of Chittagong.

Mr. W. R. Johnston, Deputy Magistrate and Deputy Collector, Chittagong, is appointed to have charge of the Cox's Bazar Division of that District.

Moulvie Feda Ali, Deputy Magistrate and Deputy Collector is posted to the Sudder Station of the Patna District, with effect from the date on which he returned to duty.

The 15th February 1875.—Mr. William George Deare Deputy Magistrate and Duputy Collector, Magoorah, is appointed to have charge of the Jenidah Division of the Jessore District.

Moulvie Syed Obedoollah, Deputy Magistrate and Dputy Collector, who was, under orders of the 8th February 1875, posted to Jessore, is oppointed to have charge of Magoorah Division of that District.

Mr. Anandaram Burroah, Assistant Magistrate and Collector Mymensing, having passed the Examination for Honors in Sanskrit, is allowed leave for eleven days, in continuation of the leave granted to him under orders of the 14th September 1874.

Mr. James Cruick-shank Geddes, Joint-Magistrate and Deputy Collector of the First Grade, is posted to the Sudder Station of Shahabad, with effect from the 9th February 1875.

The following gentlemen are appointed temporarily to be Sub-Deputy Collectors and Tehsildars in the districts of east and west Tirhoot for the collection of advances made during the late famine:—

In East Tirhoot.

Pundit Luchminarian ..	...	To be Sub-Deputy Collectors of the Second Grade
Baboo Gouri Sunker ..	...	
„ Benola Nundo Mookerjea	...	
„ Bipin Behary Pramanick	...	

In West Tirhoot

Moonshee Jogesshur Singh ..	..	To be Sub-Deputy Collector of the Second Grade. To be Tehsildars.
Baboo Bolakee Lal	..	
"Tuakoor Pershed ..		

Mr. John Geoghegan is appointed to act as a Secretary to the Board of Revenue, with effect from the date on which he relieved Mr. G. Toynbee, viz. the afternoon of the 11th February 1875.

The 16th February 1875.—In supercession of the orders of the 29th August 1874, granting him privilege leave for three months, Mr. Charles Millers ,Barrister-at-law, Magistrate of Police and Coroner of Calcutta, is allowed leave for fifteen months on medical certificate under Sections 3 and 14, Supplement F of the Civil Leave Code with effect from the date on which he made over charge of his office.

Mr. Henry Sneyd Beadon is appointed to act as Senior Superintendent of Survey during the absence, on leave, of Mr. F. Jones, or until further orders.

In supersession of the orders of the 11th January 1875, Captain William Hopkinson, Acting Cantonment Magistrate, Dinapore, is allowed leave for one month, under Section 21, Chapter VI of the Civil Leave Code, with effect from the date on which he may be relieved by Colonel J. Emerson.

Mr. George Lucian Taylor Harris, Joint-Magistrate and Deputy Collector, Gya, is allowed leave for two months, under Section 21, Chapter VI of the Civil Leave Code.

Mr. Henry Granville Sharp is appointed to act as Joint-Magistrate and Deputy Collector of Gya, during the absence, on leave, of Mr. G. L. T. Harris, or until further orders.

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A Lecture is to be given upon Egypt and Sinai on Tuesday evening next at 8-30, in Union Chapel Hall, By Mr. W. Manghan.

Proceeds to go to the Calcutta Girls School. (64)

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Notice is hereby given that new Street opened out in the Northern Division of the Town from Chitpore Road to Circular Road has been named by the Justices "Grey Street."

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RAI JODU NATH RAI BAHADUR.
Krishnaghur.
The 5th February 1875. (58)

CALCUTTA MUNICIPALITY.

Notice is hereby given that the valuation and measurement of the portion of the Town noted in the margin have been completed, and that the Books, containing the said valuations and the rates assessed, can be inspected on any day (Sundays and holidays excepted) at the Office of the Justices between the hours of 11 A. M. and 4 P. M., free of charge.

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South—by Esplanade Row, West, and East, and Lower Circular Road.
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West—by Strand Road and Chowringhee Road.

It is further notified that the Justices will, on the 9th March 1875 at noon, hear any appeals against the said valuations, measurements and assessments, and any person, desirous of appealing against the said valuations, measurements and assessments, must do so by a written application, which must be left at the Office of the Justices three clear days before the date fixed for hearing of said appeals. No appeals will be heard unless the amount of the rate has been deposited with the Justices, and unless such appeals be preferred by the person who, at the time the appeal is made, shall be recorded in the Assessment Register as the owner or occupier of the premises, to which such appeal refers.

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